# EXHIBIT 1

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 2 of 73 PageID #: 707

Hans Report - 1

## **Hans Niemann Report**

#### **Chess.com's Current Research and Findings – October 2022**

Over the last few weeks, the world has been following the major story regarding Hans Niemann, Magnus Carlsen, and cheating in chess. This has become a matter of significant public interest both inside and outside the chess world, and we present in this report our exploration of the events, circumstances, and data that have informed Chess.com's decisions concerning the current controversy, as well as the issue of cheating in chess more generally.

At the outset, we want to make clear that while these events highlight a critical topic in chess—cheating—the vast majority of chess games do not involve *any* cheating. We estimate that fewer than 0.14% of players on Chess.com ever cheat, and that our events are by and large free from cheating. We firmly believe that cheating in chess is rare, preventable, and much less pervasive than is currently being portrayed in the media. With that background, the following is a brief summary of our findings and takeaways:

- We present evidence in this report that Hans likely cheated *online* much more than his public statements suggest. However, while Hans has had a record-setting and remarkable rise in rating and strength, in our view there is a lack of concrete statistical evidence that he cheated in his game with Magnus or in any other *over-the-board* ("OTB")—*i.e.*, in-person—games. We are presenting our findings here and will cooperate with FIDE on any further investigation.
- We were never pressured by Magnus or his team whatsoever to remove Hans from Chess.com or revoke his invitation to the Chess.com Global Championship ("CGC"). Nor did we communicate with Magnus regarding our decisions on these issues before we made them. In fact, Magnus did not even know we were going to remove Hans until Hans went public with our private correspondence.
- We uninvited Hans from our upcoming major online event and revoked his access to our site based on our experience with him in the past, growing suspicions among top players and our team about his rapid rise of play, the strange circumstances and explanations of his win over Magnus, as well as Magnus' unprecedented withdrawal. In order to have more time to investigate the OTB situation and our own internal concerns, we uninvited Hans from our event and prevented his access to Chess.com. We are open to continuing a dialogue with Hans to discuss his status on Chess.com.
- We believe that chess organizers, federations, companies, and players can all work together more effectively to create great—and assuredly fair—chess events.

#### I. The Mission of Chess.com

Since the founding of Chess.com, our mission has always remained the same: to grow the game of chess and to help people enjoy their lives through playing, learning, and watching chess. We remain committed to that mission through the products, content, and events that we continue to produce. We aren't just a business—we are passionate fans of the game and have spent years working to serve the needs of the chess community. We feel a deep sense of responsibility to act as trustworthy stewards of the game: for the nearly 100 million members who have signed up, the 20 million players who use our service each month, and the thousands of titled players, coaches, and chess professionals who rely on us to protect the game.

We understand that the events of the last few weeks have been disappointing for many chess fans. Though we have tried to always act in line with our mission while doing our best to protect the integrity of the game, we recognize, as we analyzed and replayed the rapid series of events that took place, that we could have made several better moves, and we hope to have learned a lot in this process.

Our hope is that this report will be a first step toward clearing up any confusion as to why we took certain steps in the wake of the September 4, 2022 Carlsen vs. Niemann match in St. Louis at the 2022 Sinquefield Cup.

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 3 of 73 PageID #: 708

Hans Report - 2

#### **II.** Timeline of Events

#### September 4, 2022

- Magnus Carlsen (white pieces) and Hans Niemann (black pieces) play a game at the Sinquefield Cup in St. Louis in which Hans wins
- Hans gives a post-game interview<sup>1</sup>

#### September 5, 2022

- Magnus tweets his withdrawal from the event, linking to a video clip in which a soccer manager can be heard saying, "I prefer really not to speak. If I speak, I am in big trouble."<sup>2</sup>
- Chess.com emails Hans privately to let him know that his account had been discreetly closed and his invitation to the CGC had been withdrawn. A copy of this email is attached as **Exhibit A**. It has historically been Chess.com's general policy to handle account suspensions/closures and invitations for titled players (such as Hans) in a non-public manner.

#### September 6, 2022

• Hans publicly addresses his ban by Chess.com stating that, although he cheated a few years ago when he was 12 and 16 years old, he has never cheated "in a tournament with prize money," "when I was streaming," or "in a real game."

#### September 8, 2022

- Chess.com sends Hans a letter personally laying out the reasons for the decisions to revoke his status on Chess.com and to disinvite him to the CGC, a copy of which is attached as **Exhibit B**.
- Chess.com responds to Hans' public comments via a tweet; see below in **Image 1**.4

#### Image 1

Dear Chess Community,

The last few days have been tumultuous for many in the chess community. At this time, we have reached out to Hans Niemann to explain our decision to privately remove him from Chess.com and our events. We have shared detailed evidence with him concerning our decision, including information that contradicts his statements regarding the amount and seriousness of his cheating on Chess.com. We have invited Hans to provide an explanation and response with the hope of finding a resolution where Hans can again participate on Chess.com. We want nothing more than to see the best chess players in the world succeed in the greatest events. We will always act to protect the integrity of the game that we all love.

Danny Rensch Chief Chess Officer



#### **September 27, 2022**

• Magnus releases a public statement explaining his "unprecedented professional decision to withdraw" from the Sinquefield Cup. He indicates that he "believe[s] that Niemann has cheated more – and more recently – than he has publicly admitted."<sup>5</sup>

## III. The Basis of Our Decision to Remove Hans from Chess.com and Withdraw His CGC Invitation

Given the significant public interest in the actions of Chess.com, and various questions within the chess community about the motivations behind our actions with regard to Hans, we believe it is important to answer the following questions at the outset:

• Did Magnus tell us to close Hans' account on Chess.com and/or revoke his invite to the CGC?

No. Magnus did *not* ask us to close Hans' account or to rescind his invitation to the CGC. In fact, Magnus did not have any prior awareness of our decisions on either of those issues. Furthermore, we want to

<sup>&</sup>lt;sup>1</sup> https://www.youtube.com/watch?v=DCeJrItfQqw

<sup>&</sup>lt;sup>2</sup> https://twitter.com/MagnusCarlsen/status/1566848734616555523

<sup>&</sup>lt;sup>3</sup> https://www.youtube.com/watch?v=CJZuT- kij0

<sup>&</sup>lt;sup>4</sup> https://twitter.com/chesscom/status/1568010971616100352

<sup>&</sup>lt;sup>5</sup> https://twitter.com/MagnusCarlsen/status/1574482694406565888

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 4 of 73 PageID #: 709

Hans Report – 3

clarify that nobody asked us to remove Hans from the CGC. Not Magnus. Not Hikaru. Not any other titled player. However, numerous top players participating in our events have expressed private concern over Hans competing in our events for some time, and many directly questioned how we were going to ensure fair play in the CGC.

Magnus, like the rest of the world, found out about our decisions when Hans made those decisions public in his statements to the press on September 6, 2022. We communicated with Hans privately that we were closing his Chess.com account and rescinding his invitation to the CGC. As shown in **Exhibit A**, we also informed Hans that while he would not be able to play in the event, we would pay him the baseline prize money he would have received if he had participated in the match. (He has not yet collected.) We intended to handle everything discreetly. Hans elected to make those actions public.

• Does Chess.com believe that Hans cheated in his September 4, 2022 over-the-board ("OTB") game against Magnus at the Sinquefield Cup? And more generally, do we believe that Hans has cheated in other OTB games?

Despite the public speculation on these questions, in our view, there is no direct evidence that proves Hans cheated at the September 4, 2022 game with Magnus, or proves that he has cheated in other OTB games in the past.

That said, as set forth more fully below in Section X, we believe certain aspects of the September 4 game were suspicious, and Hans' explanation of his win post-event added to our suspicion. As to his OTB play more generally, in Section VII below we discuss what we believe are apparent anomalies in Hans' rise in OTB rating. Of note, we discuss how Hans became the fastest rising top player in Classical OTB chess in modern recorded history much later in life than his peers and did it after we had removed him from playing on our site in 2020.

Despite these potential suspicions, as shown below in Section VIII, an in-depth review of Hans' OTB games using Chess.com's statistical methods revealed aggregate patterns of play that, while interesting, are possible for a rising player approaching 2700. In Section IX we present Hans' top performing events based on his overperformance in strength and rating. We are prepared to cooperate with FIDE and respect their role in leading this, and any, future OTB investigations.

• If Chess.com was not certain that Hans cheated at the Sinquefield Cup, why did we take steps to revoke his invitation to the CGC and close his Chess.com account in the wake of his match with Magnus?

We based this decision on several factors. First, as detailed in this report, Hans admitted to cheating in chess games on our site as recently as 2020 after our cheating-detection software and team uncovered suspicious play. Second, we had suspicions about Hans' play against Magnus at the Sinquefield Cup, which were intensified by the public fallout from the event. Third, we had concerns about the steep, inconsistent rise in Hans' rank—set out in Section VII of this report—like others in the broader chess community. Finally, we faced a critical decision point at an unfortunate time: *Could we ensure the integrity of the CGC*, which was scheduled to start a few days after the Sinquefield Cup on September 14<sup>th</sup>, 2022, for all participants, if Hans took part in that event? After extensive deliberation, we believed the answer was no. The CGC has 64 participants and a \$1 million prize. Under the circumstances, and based on the information we had at the time, we did not believe we could confidently assure the participants and top players that a player who has confessed to cheating in the past, and who has had a meteoric rise coupled with growing suspicions in the community about his OTB performance, would not potentially undermine the integrity of our event.

We recognize that the timing of these decisions was not ideal, but we had very few days to find a replacement participant in the CGC. If we had contacted players to replace Hans in the bracket without first letting Hans know, we believe that would have created an entirely new set of challenges, including potentially inaccurate information being shared with Hans by other players before we had the chance to discreetly inform him of the reasons for our decisions. Therefore, it was critical that we acted quickly, directly, and privately with Hans. Numerous staff members who were not privileged to fair play processes were anxious to confirm the announcement of the 64-player bracket, update all necessary schedules and public-facing content, as well as share the news with the community about the participants of our \$100,000 fantasy bracket. We felt that delaying a decision would have had a material outcome on the event.

We realized then that we needed to do a deeper dive on the allegations surrounding Hans, and thus promptly started the work on this report, which begins to aggregate historical evidence of Hans' play and lays out instances where he cheated on our site. While we would have liked to have had more time to prepare these findings and research, Magnus's withdrawal from the Sinquefield Cup and then Hans' decision to make the issue public forced expedient action especially considering the practical and logistical pressures we faced as outlined in the previous paragraph.

It must be emphasized that we never intended our concerns about Hans' fair play violations to be a public conversation. It has always been our general approach to handle account closures for titled players privately, as we have done for Hans in the past. Indeed, his recent removal from Chess.com and the CGC was also communicated privately. He chose to make these communications public. As a result, we feel compelled to share the basis for our decisions publicly with the community.<sup>6</sup>

We fully understand the confusion and criticism among many in the chess community about our decision to ban Hans from our platform and rescind his invitation to the CGC shortly after his match with Magnus at the Sinquefield Cup, particularly if we did not have evidence proving he cheated OTB. The truth is, there was no perfect way to make these decisions at the time, and we did the best we could working with the information and short timeline we had. Additionally, we felt that simply uninviting him to the CGC, but allowing him continued access to Chess.com to compete in other events could result in more confusion, and we wanted to take some time to review the situation and then ultimately have a private conversation with Hans. We did not anticipate that he would make it a public conversation.

#### IV. HANS' CHEATING ON CHESS.COM

Consistent with the letter we sent Hans privately on September 8, 2022, we are prepared to show within this report that he, in fact, appears to have cheated against multiple opponents in Chess.com prize events (beyond the Titled Tuesday event that Hans admitted to having cheated in when he was 12), Speed Chess Championship Qualifiers, and the PRO Chess League. We also have evidence that he appears to have cheated in sets of rated games on Chess.com against highly-rated, well-known figures in the chess community, some of which he streamed online. These findings contradict Hans' public statements.

In particular, in interviews given during the 2022 Sinquefield Cup, Hans made several comments to the press about alleged instances of prior cheating<sup>7</sup>:

- "Other than when I was 12 years old, I have never, ever, ever and I would never do that, that is the worst thing that I could ever do cheat in a tournament with prize money."
- "Never when I was streaming did I cheat."9
- "Keep in mind I was 16 years old, I never wanted to hurt anyone, these were random games. I would never could even fathom doing it in a real game."<sup>10</sup>

As discussed in more detail below, we disagree with these statements. At Chess.com, the "Fair Play Team" is a sophisticated internal analytical team that assesses potential cheating cases on our platform. Common types of cheating examples range from "every move is an engine move" (*i.e.*, where every moved played was the top move recommended by a chess engine) to "we don't have enough evidence to close" (*i.e.*, where the player's moves are unusually sophisticated, but still within realistic bounds of statistical possibility). We have gathered detailed evidence on Hans' play and have determined through extensive review of that evidence that there were numerous games where Hans' gameplay fell along this spectrum, strongly suggesting that he violated our fair play regulations. The review of this entire history on our site, and advances in our methodology, support our conclusion. **Table 1** below contains events and matches in which it appears Hans cheated.

<sup>&</sup>lt;sup>6</sup> At Chess.com, we are always seeking to improve the game and our role in it. As part of that process, we are evaluating our practices and intend to propose changes to our approach to handling the accounts of players who have admittedly cheated and then cheat again.

<sup>&</sup>lt;sup>7</sup> For the full relevant interview, see the following link: https://www.youtube.com/watch?v=CJZuT-\_kij0&t=945s. As noted, Hans also admitted to cheating as a 16-year-old. See https://www.theguardian.com/sport/2022/sep/07/top-chess-player-hans-niemann-admits-cheating-in-past-but-says-he-is-now-clean ("...I am not afraid to tell the world that I cheated as a 12-year-old and in some random games as a 16-year-old, because I know who I am.")

<sup>8</sup> https://youtube.com/clip/Ugkxxh\_63zjjNxo1uY1eBLolpwBhkviJAIWj

<sup>9</sup> https://youtube.com/clip/Ugkxh16gQzo7C75zB3b3tQws6cj9DW-r6IDY

<sup>&</sup>lt;sup>10</sup> https://youtube.com/clip/Ugkxvp-CyzYr4nwiceotgPii9lw5ARzZtaPp

Table 1

Event / Match	Date	Hans FIDE Elo <sup>11</sup> at Time of Event	Time Control	Chess.com Strength Score <sup>12</sup>	# Games in Event/ Match	# of Games Likely Cheated In
Titled Tuesday 3 2 Blitz	July 7, 2015	2197	3+2	74.04	9	9
Qualifier 1: Titled Tuesday 3 2 Blitz	April 4, 2017	2281	3+2	78.84	10	10
PRO Chess League	February 13 – March 2, 2020	2459	10+2	79.94	32	12
Games against Naroditsky	April 11, 2020	2465	3+0	70.96	14	14
SCC Grand Prix: Titled Tuesday Blitz	June 16, 2020	2465	3+1	74.13	10	10
Games against Krikor	June 18, 2020	2465	3+0	85.59	16	16
Games against Paravyan	June 19, 2020	2465	3+0	77.2	8	8
Games against Nepomniachtchi	June 20, 2020	2465	3+0	76.93	7	7
Games against Stearman	July 26, 2020	2465	3+0	73.25	10	10
Private Match vs Benjamin Bok	August 10, 2020	2465	3+0	62.87	6	6
SCC Grand Prix: Titled Tuesday Blitz	August 11, 2020	2465	3+1	77.04	10	10

Overall, we have found that Hans has likely cheated in more than 100 online chess games, including several prize money events. He was already 17 when he likely cheated in some of these matches and games. He was also streaming in 25 of these games.

While his performance in some of these matches may seem to be within the realm of some statistical possibility, the probability of any single player performing this well across this many games is incredibly low. In addition to this, the manual review conducted by a team of trained analysts was, in our eyes, conclusive enough to strongly suggest Hans was cheating. Notably, Ken Regan, an independent expert in the field of cheat detection in chess, has expressed his belief that Hans cheated during the 2015 and 2017 Titled Tuesdays, as well as numerous matches against other professional players in 2020. See **Image 2** below, in which Ken shared his views with us.

Image 2



Indeed, our recent investigation was made in view of prior games in which we used these same tools to identify that Hans had cheated in games on our site. Notably, we initially closed Hans' account in 2020 due to suspected fair play violations.

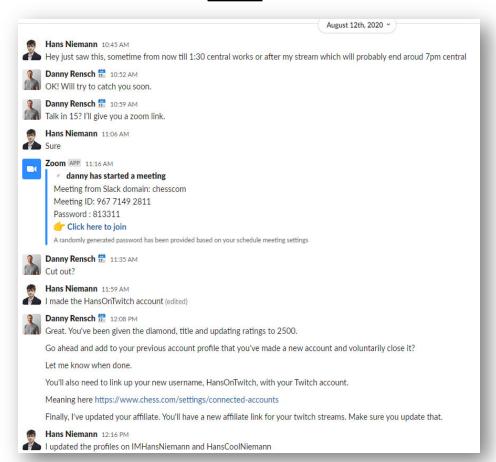
In 2020, during a private call with Danny Rensch, CCO at Chess.com, Hans was informed of his account closure for suspected cheating in these events and matches. During this call, Hans confessed to the cheating offenses. Following the call, Hans and Danny communicated over Slack, an internal real-time messaging system, where Hans asked how to acknowledge the cheating offense and how to affirm that it

<sup>&</sup>lt;sup>11</sup> The Elo rating system is well-known a method for calculating the relative skill levels of players in zero-sum games.

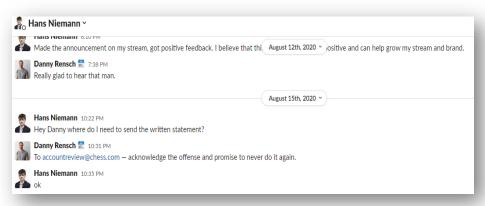
<sup>&</sup>lt;sup>12</sup> See section below entitled, "Chess.com's "Best-in-Class" Cheat-detection & Selective Cheating," for more on how the Chess.com "Strength Score" system works.

would not ever happen again. In that call, Danny agreed to support Hans' desire to save face and announce publicly that he was voluntarily closing his account to start fresh. Hans confirmed with Danny that he had "made the announcement" to close his own account. (Hans was also asked to email his admission to our team, but he did not. Given that Danny was trying to be helpful and see the best in Hans as a young rising player, the lack of email was ignored.) See **Image 3** and **Image 4** below for clips of this conversation.

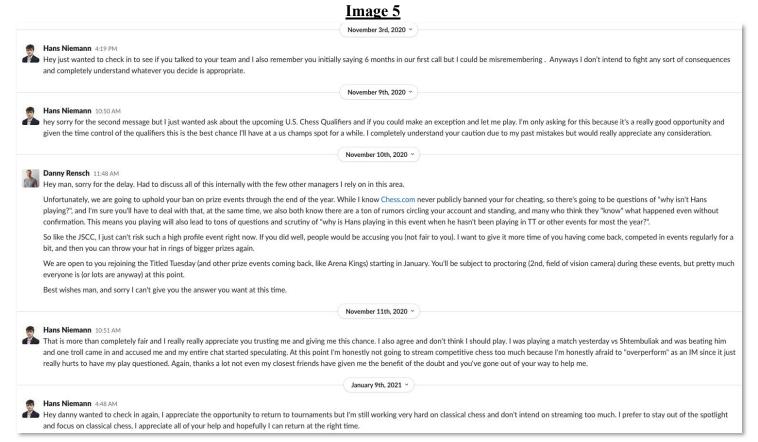
#### Image 3



#### <u>Image 4</u>



On later dates, Hans continued to acknowledge his prior cheating on Chess.com. Of note, as shown in **Image 5** below, Hans discussed with Danny over Slack the possibility of lifting his ban and allowing him to compete in prize events. In these discussions, Hans continued to acknowledge his restriction from competitive chess due to his prior instances of cheating and reiterated that he understood his restriction from competing, and further understood Chess.com's decision to deny him opportunities again in the future.



Chess.com later granted Hans a chance to return, as we do for all players who have acknowledged their cheating and want a second chance. However, as for all players who are given an opportunity to return, we monitored Hans closely and were aware of the risks of allowing him to play in our events.

#### V. How Cheat Detection Works

Catching cheating in chess can be a difficult task, but it is one that Chess.com feels extremely confident in given our investment and track record. Statistics can give a strong indication, but can also be inconclusive in the context of numerous factors such as opponent strength, opening moves, endgame moves and other confounding factors.

Indeed, numbers are just the starting point. By way of example, in the detection of sports "doping," inhumanly high statistical performance is often a tip-off of sports doping, not a confirmation. The same could be said, in a further example, for poker cheating. Corroboration of potential foul play—initially tipped off by anomalous performances—often requires extensive analysis and collection of evidence through comparative analytics, factual investigation, and a detailed examination of other evidence. The same is true when evaluating whether a top player is cheating in chess.

The basic concept of cheat detection, particularly at the top level of chess, is both statistical and manual, involving:

- Comparing the moves made to engine recommended moves
- Removing some moves (opening, some endgame)
- Focusing on key/critical moves
- Discussing with a panel of trained analysts and strong players
- Comparing player past performance and known strength profile
- Comparing a player's performance to performances of comparable peers
- Looking at the statistical significance of the results (ex. "1 in a million chance of happening naturally")
- Looking at if there are behavioral factors at play (ex. "browser behavior")
- Reviewing time usage when compared to difficulty of the moves on the board

Chess.com employs highly-rated and Grandmaster (GM) Fair Play Analysts precisely because there are many situations where humans are required to understand how "human" vs. "computer" a move actually is. Human chess and computer chess are different, even at the highest levels. The best humans play at an Elo rating of 2800. "Stockfish," the most powerful chess engine, has an estimated rating of more than 3500. In a theoretical match between World Champion Magnus Carlsen vs. Stockfish, we estimate that it is most likely that Magnus Carlsen would lose every single game—no wins and no draws.

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 9 of 73 PageID #: 714

Hans Report - 8

Most chess engines use neural nets which have been trained on millions of top level chess games to capture the deepest of chess strategic understanding. They also have nearly infallible tactical calculation, as they can look more than 40+ moves deep into the position and calculate potential outcomes. Humans rely on past experiences, heuristics and guidelines, pattern recognition, and a fallible ability to calculate moves in the future where they cannot see the live position. This leads to humans dismissing potentially winning moves because they look to be bad based on past experience or general chess principles. But a computer is not constrained by these rules and will often make moves a human—even an elite player—would immediately reject. Similarly, even the best chess-playing humans often make moves that seem sound, but are bad due to a series of calculations which show it to be losing. Strong players who have studied engines can **profile** human moves and engine moves based on expert knowledge of the characteristics discussed above. The better you are at chess, the deeper the profile you are able to develop around discriminating between human and computer moves.

#### VI. Chess.com's "Best-in-Class" Cheat-detection & Selective Cheating

Chess.com's online cheating-detection system is well known. In our 15+ year history, it has been used to close the accounts of many non-professional online players, hundreds of titled players, dozens of GMs. It has elicited cheating confessions from 4 players in the FIDE top 100.

To quote Hans himself: "They [Chess.com] have the best cheat detection in the world." 13

As part of our cheat-detection process, Chess.com is attuned to recognizing different kinds of cheating. Some, often newer, players use a chess engine like Stockfish to decide every move they make. This form of cheating is obvious and easy to detect. Other players, especially those that play at Hans' level, are much more sophisticated, and engage in "selective cheating," using a chess engine to give advice only in key moments, and often intentionally making sub-par moves to mask their engine use.

At the higher echelons of competitive chess, many games are won or lost in a critical moment, and having any sort of assistance during those moments can turn the outcome of the game. Indeed, many top players have expressed that using a chess engine in just a handful of key moments can add hundreds of Elo in strength.

- "Top players [only] need to cheat three times a game. Literally. Top players know so much about the position that if you even insinuate that they might be better or worse, they might find the right move. But they really only need to cheat one or two times." <sup>14</sup> International Master ("IM") Levy Rozman
- "Had I started cheating in a clever manner, I am convinced no one would notice. I would have just needed to cheat one or two times during the match, and I would not even need to be given moves, just the answer on which move was way better, or here there is a possibility of winning, and here you need to be more careful. That is all I would need in order to be almost invincible. Which does frighten me." 15 World Chess Champion and GM Magnus Carlsen (translated)
- "Former World Champion Viswanathan Anand said that one bit per game, one yes-no answer about whether a sacrifice is sound, could be worth 150 rating points." Chess Life, June 2014
- "Cheating is a BIG PROBLEM, both online and OTB. Unfortunately, many people believe that cheating = every move. 1-2-3 hints per game would be more than enough for some to become Ims, GMs, or win big tournaments. There are so many ways to cheat without ever being caught. Very sad!" GM Susan Polgar
- "I watched him very carefully. When he played this move, 32.Nb7 against Saric, he took ten seconds. It was a five to ten minute thing, in my modest opinion, since the knight could take on f5 instead. But when he decided it in ten seconds I was shocked. He doesn't know when to put on the theatrics. You have to be strong enough to do that. If I had this gadget I would be killing people left and right, and nobody would know. This is the real danger, because if a 2600 player

<sup>13</sup> https://youtube.com/clip/UgkxqgcsXVZyypdjQqZQeA2YAROGkqohwlNy

<sup>14</sup> https://youtu.be/YktWQrnjPwU?t=217

<sup>15</sup> https://youtu.be/VcbHmHHwlUQ?t=313

<sup>16</sup> https://twitter.com/susanpolgar/status/1572921750400409600?s=46&t=2G9o4nthbBhZNNCkCduikg

has this thing, he knows exactly how to behave, he knows exactly when to think, and he doesn't need to use it more than four times during a game. That's plenty to destroy anyone. At the critical junction you switch it on and find out which way do I go: oh, this little nuance I didn't see, okay, fine, boom, goodbye! That's it. At that point you may think for a long time, although you know the move. But this guy doesn't know, he's just mechanically playing the first move of the computer. Everyone is a clown to him. He says Kiril Georgiev, put me in a bunker with him and I will destroy him. The guy has no moral compunctions, he is absolutely immoral." —GM Maxim Dlugy

To detect such "selective cheating," Chess.com utilizes sophisticated statistical methods that dig deep into the probability that any individual player could have achieved their results based on past performance. Our detection system requires robust methodologies beyond simply looking at best moves, player rating, and centipawn loss. To effectively identify the vast majority of cheating, Chess.com computes an aggregate **Strength Score**. Strength Score is a measurement of the similarity between the moves made by the player, and the moves suggested as "strongest moves" by the chess engine. In a sense, it is a measure of the accuracy of play. The longer the chess game time control (*i.e.*, 3 hours per game vs. 3 minutes per game), the higher the Strength Score would be expected to be, since players with more time will be able to evaluate each position more deeply and carefully. The Chess.com Strength Score ranges from 0 to 150, where 150 is the closest to "perfect chess" with the chess engine at maximum depth and performance. A score of 100 is approximately the highest we have measured for human chess players that can be achieved over a several game span, and 90 is the highest score we have seen a top player sustain over time in classical chess time controls. Pure engine usage alone would typically show scores between 125-150 depending on time, device, engine, depth, etc.

This Strength Score can show when a player is performing at a level above their actual chess strength, and on its own, our Strength Score is a helpful tool in successfully identifying cheating at nearly every level of play. Any player can have strong games of chess, but the Strength Score can tell us if continued strong play is legitimate or beyond the realm of statistical probability when compared to their overall skill level. Rating plays no part in Chess.com's Strength Score, as players can significantly over-perform or underperform their rating. However, in our experience, human players generally cannot legitimately stray too far from their established Strength Score for long.

For players of Hans Niemann's caliber, the Strength Score also serves as an internal warning sign, which indicates to us that further analysis and review of gameplay is needed. For cases that involve high profile players such as Hans, Chess.com employs a team of dedicated analysts who pore over the details of individual cases and take deep dives into the content of the player's games. There are several GMs on this team who review all titled cases, and all of them are still involved in the current investigation into Hans.

When he admitted to cheating on Chess.com in 2020, Hans had an IM title with at least one GM norm, and the performance that ultimately led to the action of having his account closed was benchmarked with a Strength Score of 85.50 in 3|0 games. This performance, which, as mentioned, Hans confirmed was attained via cheating, was within the range of Strength Scores obtained from Chess.com reports of various GMs and their games at the time of their closure on Chess.com, as seen in **Table 2** below. **All** these players, including Hans, admitted to cheating.

Table 2

User	FIDE Elo	Strength Score	
Anonymous Confessed GM	2640	103.27	
Anonymous Confessed GM	2511	98.05	
Anonymous Confessed GM	2543	95.421	
Anonymous Confessed GM	2686	94.69	
Anonymous Confessed GM	2656	94.64	
Anonymous Confessed GM	2530	93.14	

 $<sup>^{17}\</sup> https://en.chessbase.com/post/the-shoe-a istant--iva nov-for feits-at-blagoev grad-051013$ 

<sup>&</sup>lt;sup>18</sup> Though notably, Strength Score is calculated differently from the "Accuracy Score" shared with a Chess.com player when they review their games. In essence, Strength Score is based on actual statistical models and meant to be used across multiple games, while Accuracy is a product-driven score meant for *one* game, using a different, and less statistically-driven algorithm.

User	FIDE Elo	Strength Score
Anonymous Confessed GM	2406	93.14
Anonymous Confessed GM	2685	92.81
Anonymous Confessed GM	2651	92.19
Anonymous Confessed GM	2591	92.06
Anonymous Confessed GM	2523	91.17
Anonymous Confessed GM	2580	90.58
Anonymous Confessed GM	2646	89.53
Anonymous Confessed GM	2548	88.05
Anonymous Confessed GM	2451	86.28
Anonymous Confessed GM	2616	85.58
Hans Niemann (2020)	2465	85.50
Anonymous Confessed GM	2602	84.69
Anonymous Confessed GM	2504	83.59
Anonymous Confessed GM	2508	81.06
Anonymous Confessed GM	2523	78.48
Anonymous Confessed GM	2651	78.27
Anonymous Confessed GM	2508	77.38
Anonymous Confessed GM	2552	77.11
Anonymous Confessed GM	2551	69.91

As is apparent from **Table 2**, our detection system can accurately identify players who have cheated in the past across a large variation of chess skill. Hans' Strength Score is both lower and higher than a number of players that have confessed to cheating in the past, and we have successfully identified multiple players who have cheated despite having a relatively low Strength Score. For each of these cases, the Strength Score flagged suspicious performances, and a dedicated move-by-move review by Chess.com's team of analysts and high-rated players concluded that cheating had occurred.

It is important to note that every one of the players in **Table 2**—including Hans—was given the benefit of the doubt, regardless of the strength of signal in the Strength Score. Once alerted, we do a thorough and skeptical review of the data. If it merits further consideration, we begin a practical, human-driven analysis of the data, the game, the time usage, and where the algorithmic signals match up with each move on the board, as performed by a top Fair Play Analyst (who is also a GM).

When we do finally close an account, we feel that we have given the most fair possible review, as we understand the weightiness of such a decision. It speaks to the sophistication and thoroughness of our systems and processes that we have closed accounts of players both stronger and weaker than Hans, and with Strength Scores above and below Hans—with a significant number of confessions.

As an illustration, one notable case on the list above was a player in the FIDE Top 100 players. This person competed in a single event featuring 10 total games in 2020. Their Strength Score alone was not necessarily enough to act, but indicated that there was the potential for cheating. Even considering this player's Elo rating of nearly 2700, our expert team was able to discern the truth that this player was indeed selectively cheating using a chess engine. When confronted with our allegations that they had used outside help, they confessed, as shown in the redacted email exchange attached as **Exhibit C** to this report. This email chain reflects the deliberateness of our process and how we engage with players like Hans, who are suspected of cheating on the platform.<sup>19</sup>

<sup>&</sup>lt;sup>19</sup> Of course, *preventing* cheating is an ongoing and difficult challenge, as the vast majority of online games are played in a private location with the player alone, and nobody around to physically observe them. For key events and matches, Chess.com uses several methods of proctoring including: multiple camera angles, access to screen capture, computer task manager review, audio monitoring, and sometimes even in-person on-site proctors in the room with the player. There are a few notable cases

Finally, OTB cheat detection has not, to date, been the primary focus of Chess.com. Instead, Chess.com has spent years analyzing billions of chess games and developing an algorithm to catch cheating in online games which happen at much faster time controls than classical OTB games. We focus on time controls which are from 1 minute to 60 minutes per game, not classical games played over several hours. Additionally, our cheat-detection system is focused on the full spectrum of players from very beginner up to GM, especially for faster time controls.

However, the stronger the player and the longer the time played, the more a human is capable of playing like a computer, and this is where the line can get very hard to draw. Even within cheat detection, different chess engines, different machines, and different amounts of time allocated to the moves will produce a wide array of "best moves" and "evals" (evaluation scores of the moves played). We believe there is much more that can be done to develop the methodologies and algorithms to ensure fair play at the highest levels of chess play at classical time controls. But again, this has not been Chess.com's area of focus or expertise, as we have focused on the full range of players at faster time controls, and do not offer cheat detection for classical time controls, nor actively monitor OTB play.

Cheating in an OTB setting is harder than cheating online, though that has not stopped many from trying (and some succeeding), using various methods such as: hand signals from a nearby coach or accessing a phone in the bathroom, a hidden device in a shoe, or a wire or buzzer taped to the body. Detecting cheating in OTB play will require a mixture of security measures and algorithmic detection, neither of which are currently happening up to the standard to make conclusive determinations. We continue to encourage greater attention to considering how to prevent and police OTB cheating and hope to be part of devising solutions.

#### VII. Hans' OTB Rise

Outside his online play, Hans is the fastest rising top player in Classical OTB chess in modern history.

With each new generation of chess players, there is a small group who will eventually emerge as the top players. Some of the big names in the current generation are Alireza Firouzja, Vincent Keymer, and Arjun Erigaisi. Looking purely at rating, Hans should be classified as a member of this group of top young players. While we do not doubt that Hans is a talented player, we note that his results are statistically extraordinary.

#### **Increase in Strength**

As set forth in **Table 3**, between 2014 and 2022, Hans' OTB Classical Strength Score (according to Chess.com's Strength Score) increased from 67.79 to 90.90 (weighted slope of 2.67 per year). In comparison, Alireza's strength score only increased from 77.41 to 91.33 (weighted slope of 1.61 per year) during the same period. Hans is consistently above many contemporaries in strength increases, even though he has only recently shown the same caliber of play. Likewise, as set forth in **Figures A** and **B** below, Hans had the fastest and biggest increase in his score over time in comparison to his peers and other notable players, when considering all of their known Classical OTB games played from age 11-19.

Table 3

Name	Mode	Time	2014 Start	2022 End	Weighted Yearly Gain
Hans Niemann	ОТВ	classical	67.79493	90.89948	2.665910
Vincent Keymer	ОТВ	classical	72.29170	91.60748	2.228744
Dommaraju Gukesh	ОТВ	classical	73.57896	90.79441	1.986398
Rameshbabu Praggnanandhaa	ОТВ	classical	74.89842	90.22101	1.767992
Alireza Firouzja	ОТВ	classical	77.40971	91.32695	1.605835
Arjun Erigaisi	ОТВ	classical	78.20973	89.35911	1.286467

where Chess.com has removed players for behavior which looks as if the player is looking at a different location and could be getting moves from a second device. That said, Chess.com generally catches cheating after it happens. It usually takes several games of evidence to build a conclusive case. It can happen quickly (within minutes of a series of suspicious games being played, including mid-event), or can take years to build up enough data and evidence to make a conclusion.

 $Hans\ Report-12$ 

Name	Mode	Time	2014 Start	2022 End	Weighted Yearly Gain
Nodirbek Abdusattorov	ОТВ	classical	79.35046	91.32996	1.382250
Nihal Sarin	ОТВ	classical	81.20581	91.37528	1.173401
Bogdan Daniel Deac	ОТВ	classical	81.96908	90.28417	0.959433
Jeffery Xiong	ОТВ	classical	85.97179	92.11674	0.709033
Jorden van Foreest	ОТВ	classical	83.38150	89.51121	0.707274
Andrey Esipenko	ОТВ	classical	84.59661	88.91390	0.498148

#### Figure A

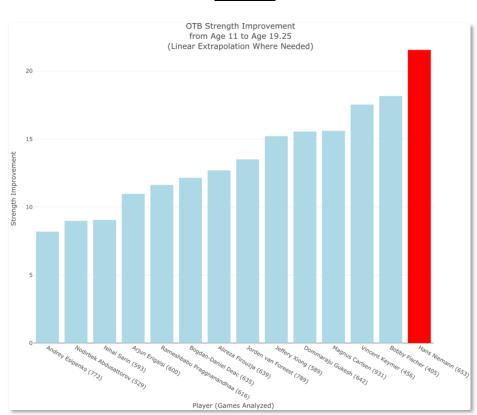
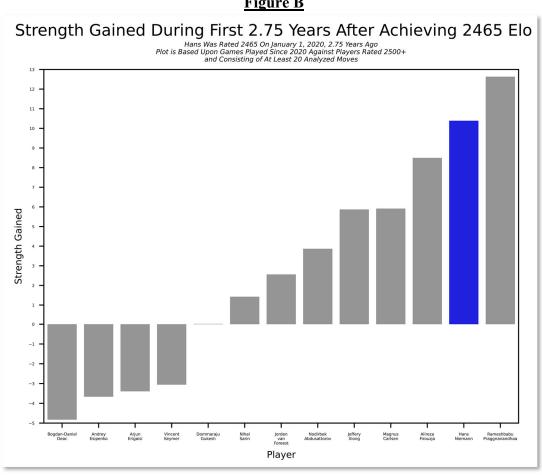
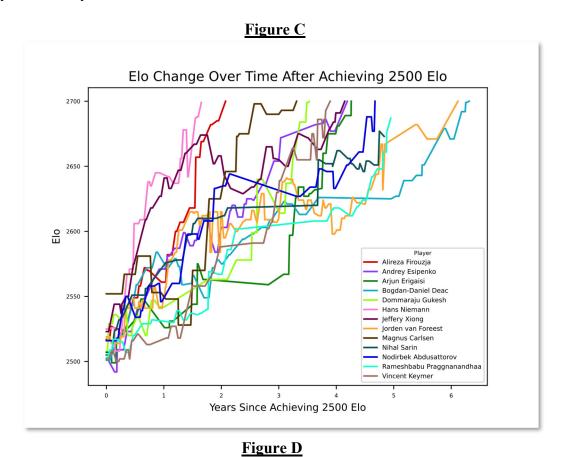


Figure B

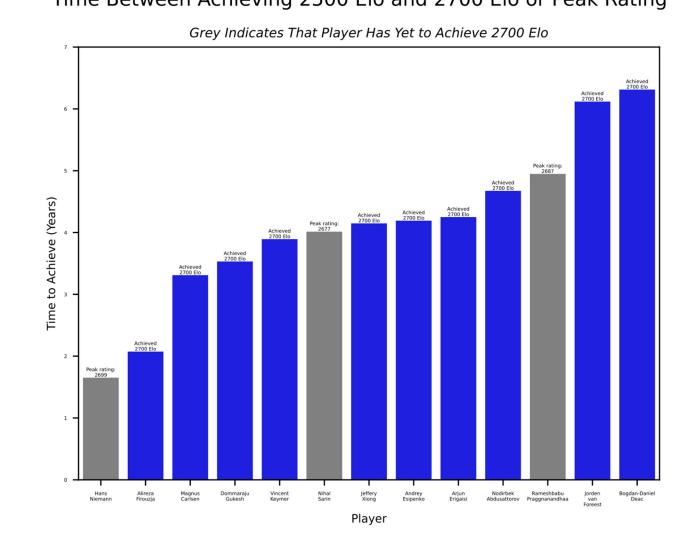


#### **Increase in Rating**

**Figures C** and **D** below show that Hans had the fastest and largest increase in FIDE Classical Elo, when compared to a list of his peers and other notable players, when considering all of their Classical OTB games played after they reached 2500 Elo.

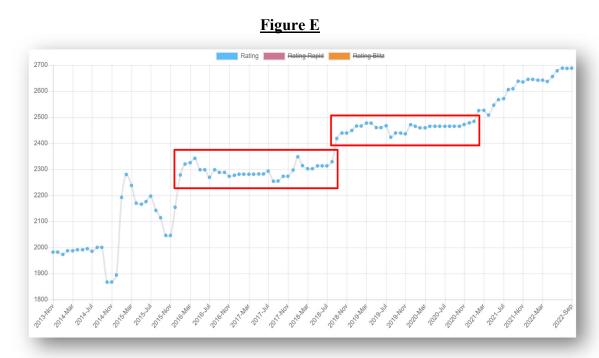


Time Between Achieving 2500 Elo and 2700 Elo or Peak Rating

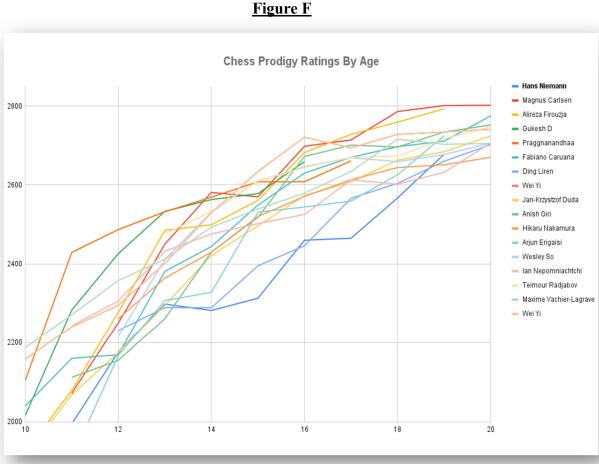


#### Plateau in Strength

Furthermore, as set forth in Figure E, Hans also had two rating plateaus that are uncharacteristic of the class of improving chess prodigies who become elite GMs.<sup>20</sup> From January 2016 to August 2018 (32) months, 297 FIDE-rated games), his rating fluctuated between 2254 and 2350. He then gained 89 points from August to September 2018 before settling into a new plateau between 2400 and 2500 from September 2018 to January 2021 (40 months, 202 games, played during the COVID pandemic era).

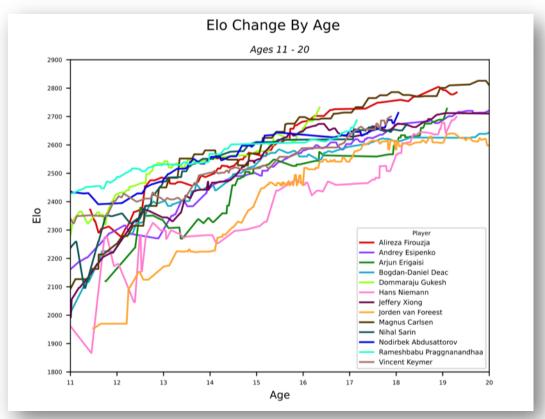


See **Figures F** and **G** show this phenomenon compared to other players:



<sup>&</sup>lt;sup>20</sup> In general, prodigies that reach 2700 have smoother trajectories because they are working consistently toward their goal. They generally plateau or reach slower rates of growth once they start to hit their peak. Our view of the data is that Hans, however, has had an uncharacteristically erratic growth period mired by consistent plateaus.





#### Age of GM

As set forth in **Table 4**, another key data point that informed our analysis is the fact that there are 13 players currently ranked in the world's top 50 players who are younger than 25. Hans is the only player who became a GM at age 17. The other 12 players all achieved the title between ages 12 and 16.

Table 4

Rank	Name	GM Age	Classic	Current Age
4	Firouzja	14	2785.2	19
18	Erigaisi Arjun	14	2731.6	19
19	Duda	15	2731	24
21	Gukesh D	12	2728.3	16
24	Wei Yi	13	2722.3	23
27	Maghsoodloo	16	2721	22
30	Abdusattorov	13	2713	18
37	Deac	14	2706.6	20
39	Artemiev	16	2701.5	24
40	Keymer	14	2700.3	17
41	Niemann	17	2698.8	19
45	Van Foreest	16	2693.2	23
49	Xiong	14	2690	21

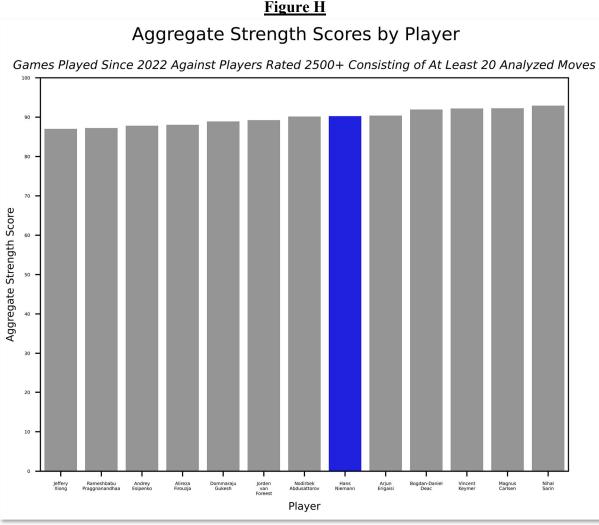
As an active FIDE-rated player at ages 15, 16, and 17 (pre-pandemic years), Hans had ratings of 2313, 2460, and 2465, respectively. The conventional wisdom is that if you are not a GM by age 14, it is unlikely that you can reach the top levels of chess. While that statement may seem discouraging, it has been borne out in modern chess. Greats like Fischer, Kasparov, Carlsen, and almost all of the modern GMs who have been established as top five players, were notable GMs by age 15 at the latest.

#### Hans' OTB Data Analysis VIII.

While Chess.com's cheat detection is tuned to catch cheating in our faster, online time controls, we studied of Hans' OTB play using the same statistical tools, and compared him to his peers. Given his outstanding rise in strength and rating, we considered several questions and examined the relevant data with the intention to investigate whether Hans had cheated over the board.

How does Hans' strength in OTB compare to other players?

We analyzed all OTB games played by these players against 2500+ rated opponents since the start of 2022 and calculated their overall Strength Score. Hans is ranked # 6 of 13. As shown in Figure H, this puts him roughly in the middle of a somewhat tight band of Strength Scores, which is not on its own noteworthy.



Does Hans have an unusually shaped plot of games based on Strength Score?

A player who plays differently at different times might show two separate distributions of game strength, which might look more like two "lumps" (bimodal), not an even distribution (unimodal). Hans' distribution graphs look similar to those of his peers, with a fairly simple, and apparently unimodal distribution. These graphs are contained in **APPENDIX X.1**.

Was Hans' rise in strength (not rating) sudden, jumping from a 2500-level of play immediately up to a 2650+ level of play (which might indicate unnatural growth), or did his strength follow a more natural progression?

The data, based on Chess.com's Strength Score in Hans' games and events, does not necessarily indicate a step-wise progression that you might see if a player suddenly went from one level of strength to another. We graphed his performance in events, by Strength Score, over time, and compared it to his peers in

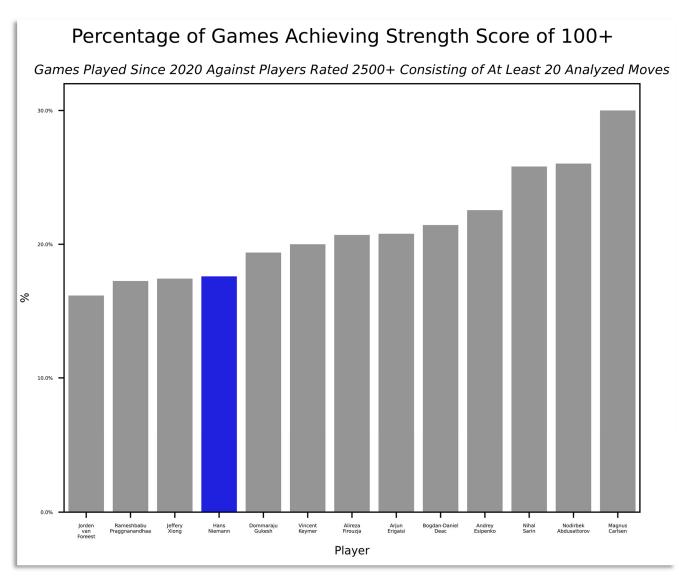
**APPENDIX X.2**.<sup>21</sup> Each "event" in the plot represents one or more games, and the fit is weighted by the number of moves in that event (*i.e.*, more moves = stronger effect). Thus, despite Hans having several events with very high Strength Scores between the ages of 12.5 and 13.5, those represent events with only one single game in them, and in manual review, those individual games are found to be unremarkable (*i.e.*, many clear endgame positions, etc.).

#### • Has Hans played an unusually high number of "near perfect" games?

There has been some analysis posted online suggesting Hans has played an abnormally high number of perfect games. We have carefully analyzed many other presentations found online that claim to have found potential evidence of cheating, including asserting that Hans has played more "100%" games, etc. We have concluded that the methodology and the underlying tools used in those analyses do not meet our standard.

Therefore, Chess.com gathered all of Hans' and other related players' games from 2020 onward played against 2500+ rated players, and removed any games we determined were lacking sufficient measurable observations (based on our process of removing known book moves and some simple endgame moves), and then measured the percentage of those games which were above 100 on our Strength Score. Based on this analysis, and as shown in **Figure I**, Hans actually has one of the lower percentages of "near perfect games" when compared to similar players.

#### Figure I



In conclusion, while we cannot definitively prove that Hans' rise in strength is entirely "natural," we have also found no indications in the game data to suggest otherwise. While some have suggested that a move-by-move analysis by humans may surface some oddities in move choice or analysis, there is nothing in our statistical investigation to raise any red flags regarding Hans' OTB play and rise.

<sup>&</sup>lt;sup>21</sup> These charts represent the Strength Scores of distinct events played by these players over time at their respective ages. The red dots are a third-degree polynomial fit used only to visualize their trajectory. The charts should not be taken as absolute patterns, as there is a risk of "over-fitting" with polynomial fits.

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 19 of 73 PageID #: 724

Hans Report - 18

#### IX. Hans' Events Reviewed in Detail

As part of Hans' overall OTB performance, in addition to an aggregate view, we also wanted to review his strongest individual events in greater detail. We looked for "overperformances," including those based on his strength of play in each event vs. his overall strength that year.

As noted previously, Chess.com has built up an expertise working with online play in faster time controls. We have never been responsible for monitoring OTB classical events among top players, and given that we are not organizers or governing federations for any of these events, we do not want to make any conclusive statements regarding whether these events were played fairly.

We are publicly sharing a subset of data regarding his individual events, though many of the elements in our internal Fair Play reports are proprietary and have been removed from this report. We also want to highlight that we do not have access to time-usage data, which is something we inherently have for all online games played on Chess.com.

We are highlighting some of the strongest events we believe could merit further investigation based on the data and a manual review by our Fair Play team. Those are highlighted in yellow in **APPENDIX X.3**.

#### X. The Sinquefield Cup and the Game with Magnus Carlsen

Finally, the game between Hans and Magnus at the Sinquefield Cup does, on its own, merit analysis, as its result, circumstances, and explanations are unique and have become the object of immense public debate and controversy. Hans beat Magnus in a classical game with the black pieces, breaking Magnus' 53-game unbeaten streak and becoming one of only five players in the past five years to beat Magnus while he was playing with white pieces.<sup>22</sup> Hans explained that his success was not "anything special," and largely due to Magnus having "played quite poorly," and having "miraculously" prepared specifically for the opening that Magnus played. "By some miracle I had checked this today and it's like, it's such a ridiculous miracle that I don't even remember why I checked it."<sup>23</sup>

In fact, Magnus has only played 4.g3 twice previously (both before 2010), and the position after Hans castled on move four had never been seen in any of Magnus' games. Hans in a later interview commented that Magnus had previously played the opening against Wesley So in the 2018 London Chess Classic,<sup>24</sup> but there is no such game on record.<sup>25</sup> Magnus did play a g3 Nimzo-Indian against Wesley So in a rapid game in Kolkota in 2019, but the move order and emerging position in that game had no similarities to the game against Hans. Hans's 9...cxd4 had only been played once previously, in a June 2022 Titled Tuesday game between Rasmus Svane and Stelios Halkias.

In the post-game analysis, on move 13 Hans proposed the error 13. Qh4?? Saying, "Qh4 might be a move here." This move loses the bishop on g5 without any obvious compensation or follow-up. This moment, among others, led to criticism from other top chess players who were surprised that a player who could outplay Magnus so easily with the black pieces could then suggest such a move in a game that he had just played. After proposing the move, Hans requested to see the engine evaluation saying, "What does it say? What does the engine say?" to confirm that this move lacked a purpose. This analysis and dependence on the engine seem to be at odds with the level of preparation that Hans claimed was at play in the game and the level of analysis needed to defeat the World Chess Champion.

We also measured that for the first 3 games of the Sinquefield Cup, Hans played with a Chess.com Strength Score of 97.17. After round 3, the event organizers, in response to the cheating allegations, added a 15-minute delay to the broadcast of the chess moves. For rounds 4-9, Hans achieved a Strength Score of 86.31. Other players also had some interesting changes in Strength, as measured by Chess.com. This can be attributed to any number of factors, including the ensuing situation after Magnus withdrew, different opponents, etc. In our view, no conclusions should be made from this data.

<sup>&</sup>lt;sup>22</sup> Three of those losses were before 2018.

<sup>&</sup>lt;sup>23</sup> https://www.youtube.com/watch?v=DCeJrItfQqw

<sup>&</sup>lt;sup>24</sup> https://www.youtube.com/watch?v=DCeJrItfQqw

<sup>&</sup>lt;sup>25</sup> It appears that Wesley So confirmed through Twitch Chat on Hikaru Nakamura's September 5, 2022 Twitch Stream that he (Wesley) did not even attend such tournament. https://logs.ivr.fi/?channel=gmhikaru&username=gmwso123

<sup>&</sup>lt;sup>26</sup> https://youtube.com/clip/UgkxqFdMI3f-Rx8a3YQHVDRp2uqHO5i06bR2

<sup>&</sup>lt;sup>27</sup> https://youtube.com/clip/UgkxqFdMI3f-Rx8a3YQHVDRp2uqHO5i06bR2

Table 5

Name	Rounds 1-3	Rounds 4-9	Change
Alireza Firouja	88.25	100.96	12.71
Shakhriyar Mamadyarov	91.82	97.39	5.57
Ian Nepomniachtchi	89.7	94.94	5.24
Levon Aronian	85.24	90.77	5.53
Wesley So	100.99	102.15	1.16
Fabiano Caruana	92.12	95.29	3.17
Magnus Carlsen	87.12	n/a	n/a
Dominguez Perez Leinier	95.51	91.82	-3.69
Maxime Vacher Lagrave	101.45	94.35	-7.1
Hans Moke Niemann	97.17	86.31	-10.86

Several days later after returning to Norway, Magnus shared in a private conversation that his experience in playing Hans was "unlike a game he's ever had." He emphasized that he has competed against numerous prodigies and players who "exert" themselves and show great effort throughout a long, difficult fight like this game. He described Hans' level of exertion as "effortless" and felt he never had a chance to get back in the game, which was extremely unusual for Magnus who is known for his resourcefulness. Hans' lack of emotion or excitement about the result was also noted by several others.

#### Below are examples of the reactions of notable players who have beaten Magnus:

- Esipenko: https://www.youtube.com/watch?v=iZsK96-mASY
- Duda: https://youtu.be/pzoUVQh-l2g?t=1861
- Pragg: https://youtu.be/6tc0j802idk?t=165
- Niemann: https://youtu.be/TkUkvLqHfZM?t=16815
- Nodirbek: https://youtu.be/1rfrfSU8GWc?t=997

In our view, this game and the surrounding behaviors and explanations are bizarre. And, in light of Hans' past and his record-setting rise, it is understandable that some in the chess community have used this game as a way to justify additional scrutiny of Hans' play. However, we are currently unaware of any evidence that Hans cheated in this game, and we do not advocate for any conclusions regarding cheating being made based on this one encounter.

#### XI. Conclusion

After Hans beat Magnus and Magnus withdrew from the Sinquefield Cup, we removed Hans from Chess.com's upcoming GCC and withdrew his access to the site until we could conduct further review. And while Magnus' actions prompted us to reassess the situation, Magnus did not talk with us in advance about our decisions or ask for, or directly influence, those decisions at all. Magnus was, and is, operating entirely under his own direction, as is Chess.com. However, given the circumstances, which included a player who had a significant and admitted history of cheating, the World Chess Champion making the loudest statement in chess history, and an invitational event starting in a matter of days, we felt we had to act. We communicated privately with Hans via email. We never wanted or intended to have a public discussion about these decisions, and, frankly, we believe we could have resolved things privately.

We understand that the timing of our email, and Hans' publicizing of it, may have led a number of people in the chess community to believe that Chess.com "knew" Hans was cheating over the board, or was under pressure from Magnus, or had some new evidence indicating that Hans was cheating over the board. The much less interesting truth is that none of this is true. While there are many remarkable signals and unusual patterns in Hans' path as a player, and while some games, behaviors, and actions are hard to understand, Chess.com is unaware of any concrete evidence proving that Hans is cheating over the board or has ever

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 21 of 73 PageID #: 726

Hans Report – 20

cheated over the board. Chess.com has historically not been involved in OTB or classical chess fair play decisions, as we do not run OTB or classical chess events.

Our investigation has revealed that while there has been some noteworthy online play that has caught our attention as suspicious since August 2020, we are unaware of any evidence that Hans has engaged in online cheating since then. Our investigation has concluded that he did, however, cheat much more than he has publicly admitted to, including in many prize events, at least 25 streamed games, and 100+ rated games on Chess.com, as recently as when he was 17 years old.

We believe Hans is an incredibly strong player and a talented individual. That said, given his history on our site, we did not believe we could ensure that he would play fairly in our online events until we could re-evaluate the evidence and our protocols. Nevertheless, and to be clear, it is not our position that Hans should be limited or banned from OTB chess. Hans' online and OTB behaviors may be completely different, and that should be taken into consideration. We have shared our findings with FIDE and will cooperate with any investigation or requests they pursue.

It is our belief that OTB event organizers should be taking much stronger precautions against cheating by **all** players to ensure fair play. To keep the game fair, all players should be playing under the same conditions, and checked before, during, and after matches using the appropriate technologies and methods to counter any outside assistance.

We reiterate our message of September 8<sup>th</sup>, 2022: that we would like to have a conversation with Hans to "provide an explanation and response with the hope of finding a resolution where Hans can again participate on Chess.com."<sup>28</sup>

We want the best for Hans. We want the best for Magnus. We want the best for chess. We want stability, fairness, and joy in the chess community, not turbulence, conspiracy, and accusations. We have a role to play in this, and we acknowledge that we can do better in our transparency, timing, and messaging moving forward and look forward to cooperating with FIDE and others in the chess community to serve the game.

- Erik, Danny, and the Fair Play Team at Chess.com

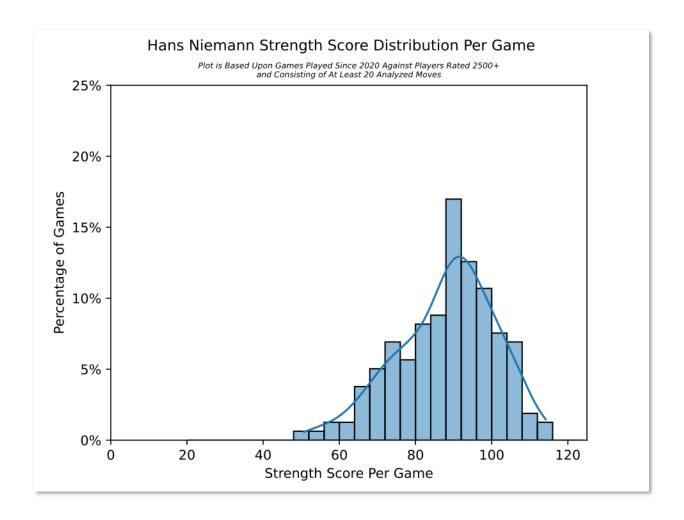
<sup>&</sup>lt;sup>28</sup> https://twitter.com/chesscom/status/1568010971616100352

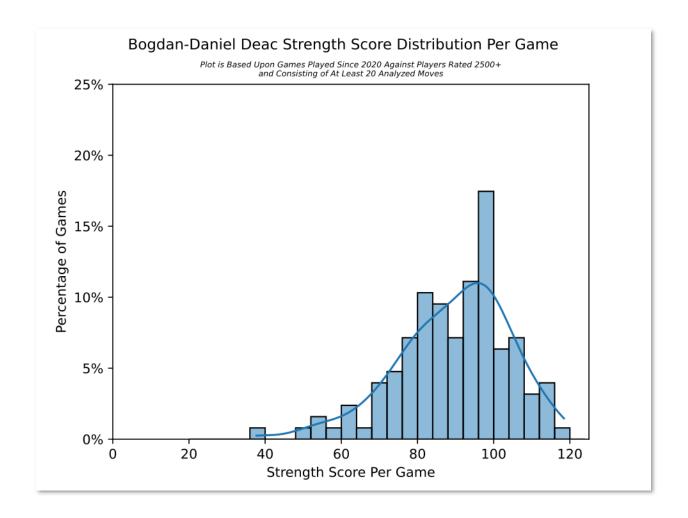
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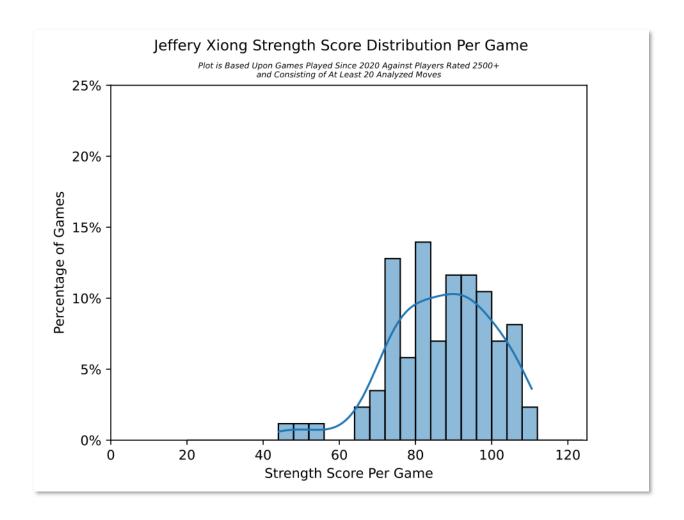
## APPENDICES TO OCT. 2022 HANS NIEMANN REPORT

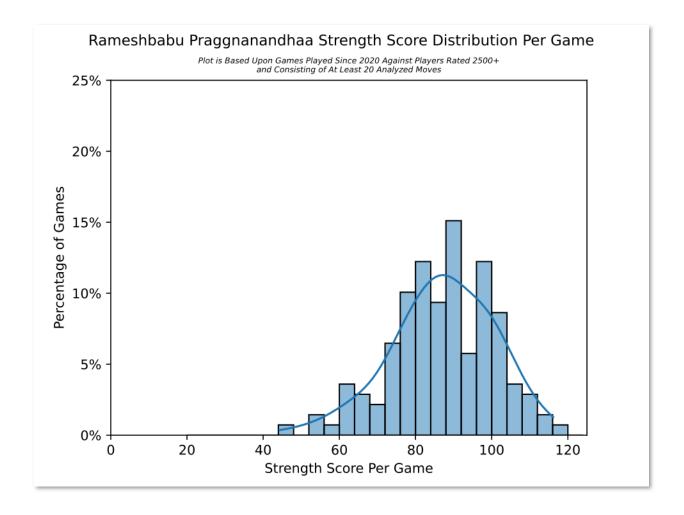
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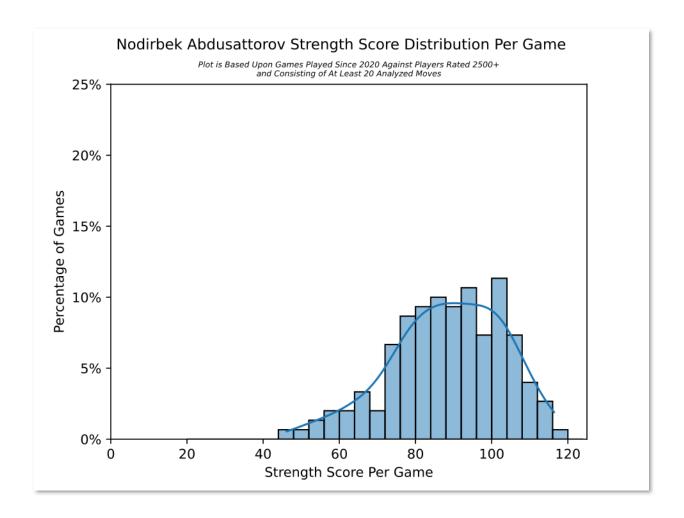
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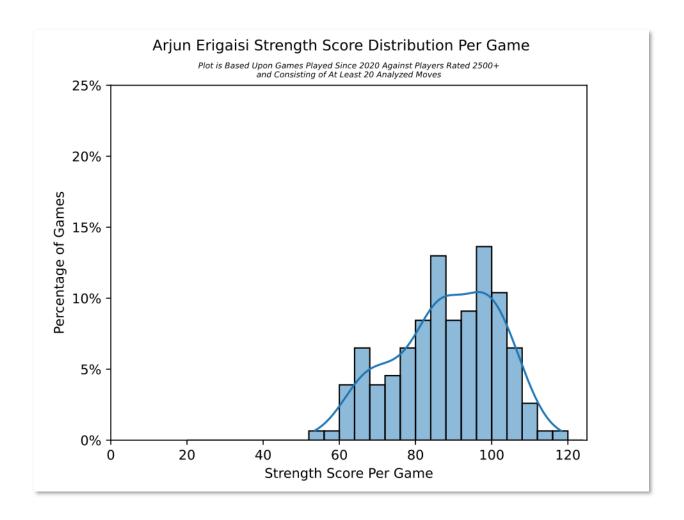


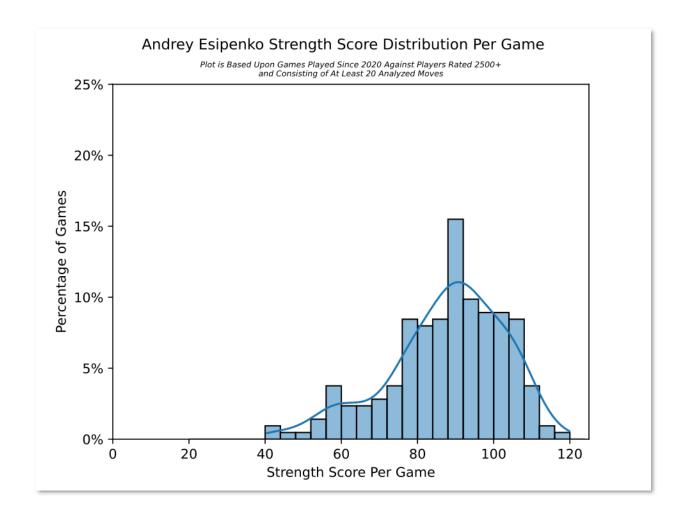


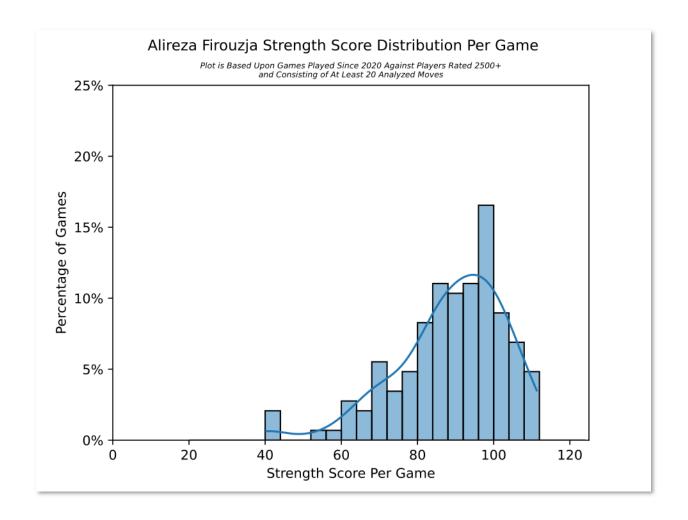


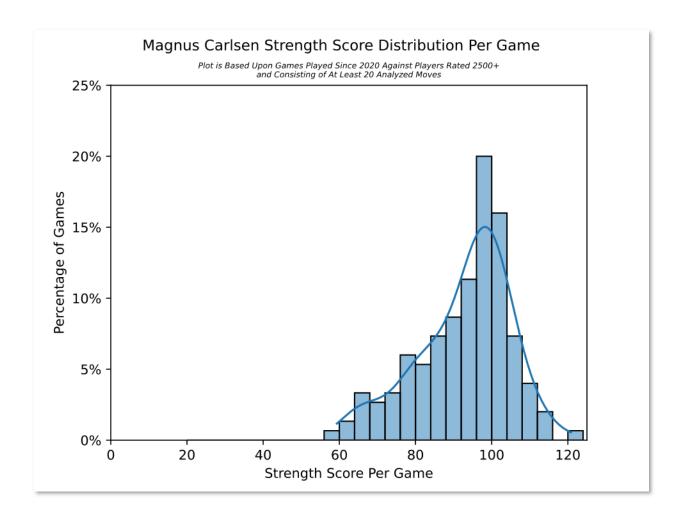


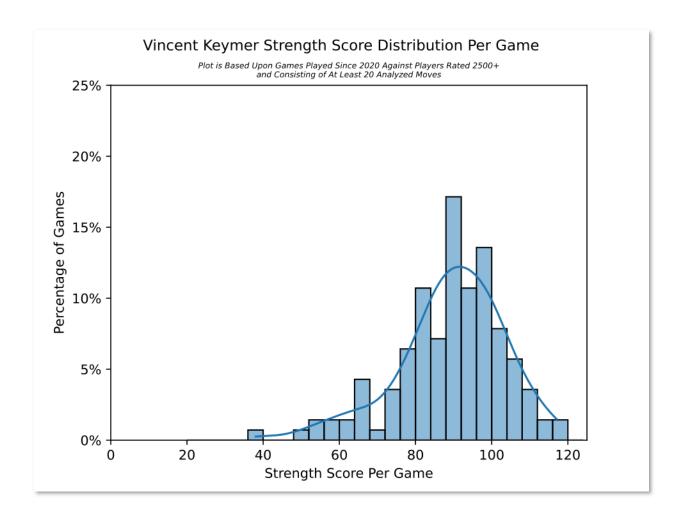


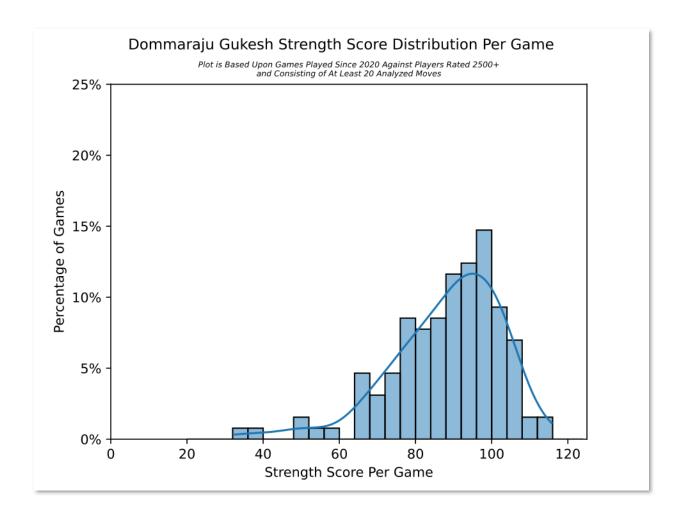


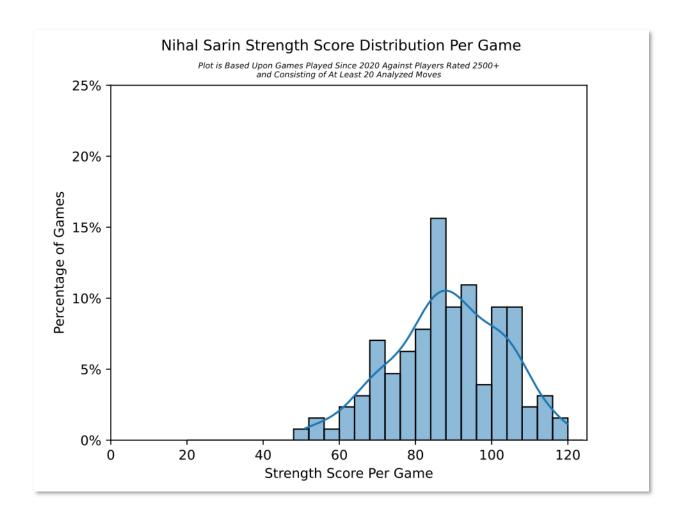


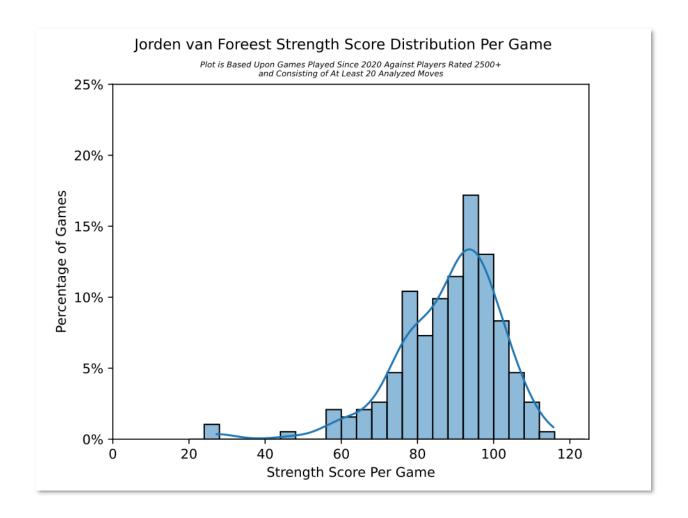






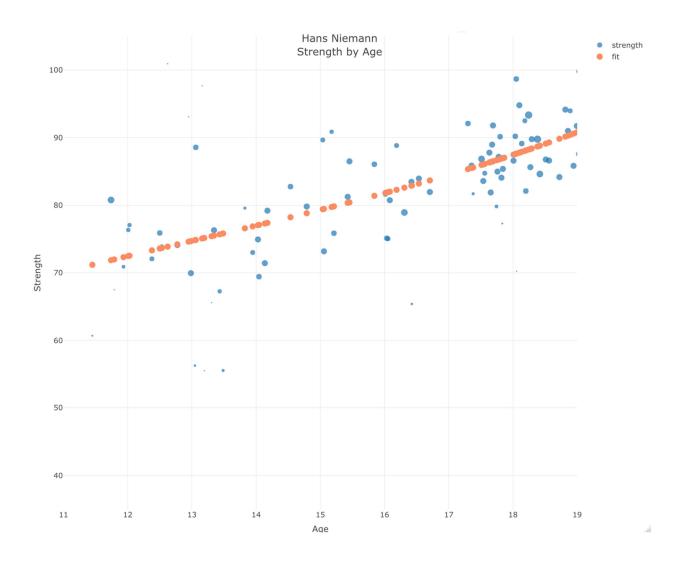


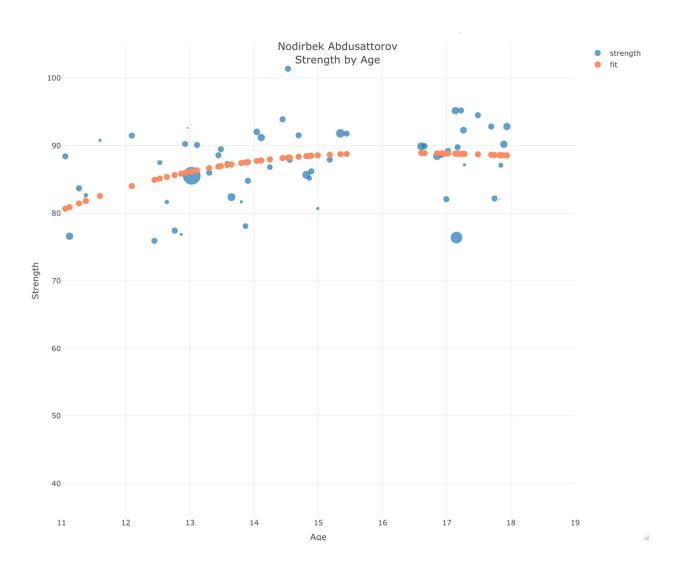


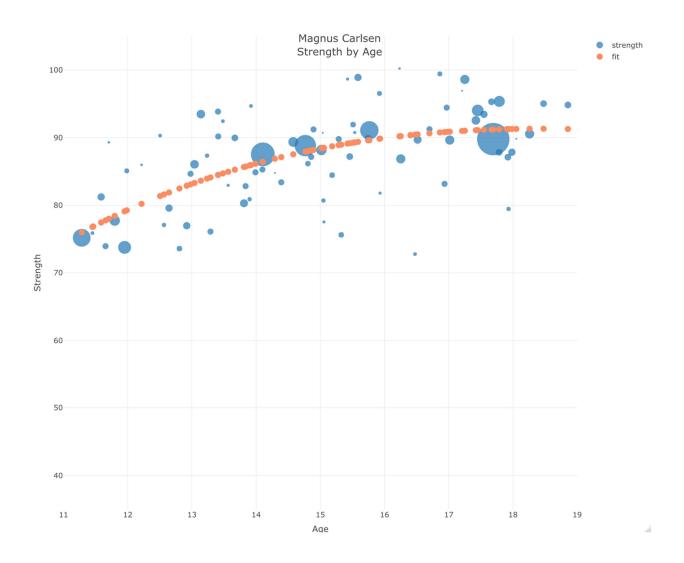


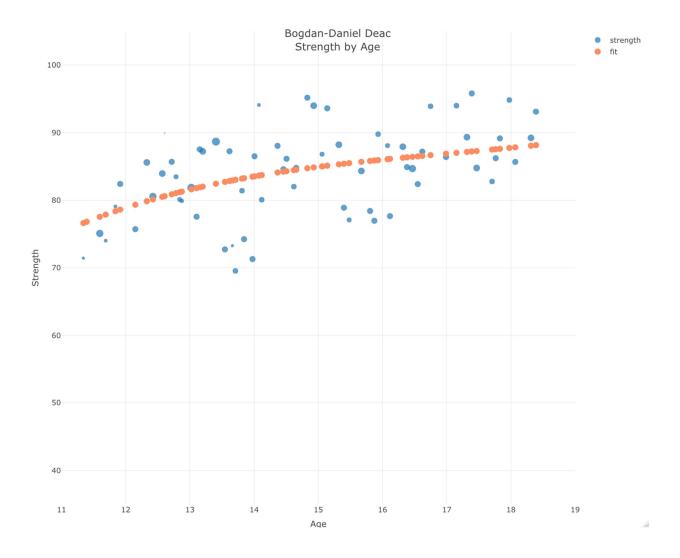
Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 37 of 73 PageID #: 742

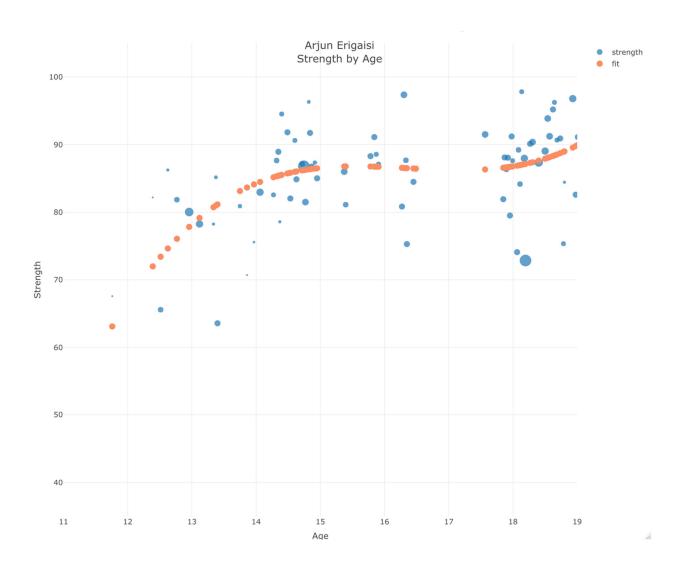
#### **APPENDIX X.2**

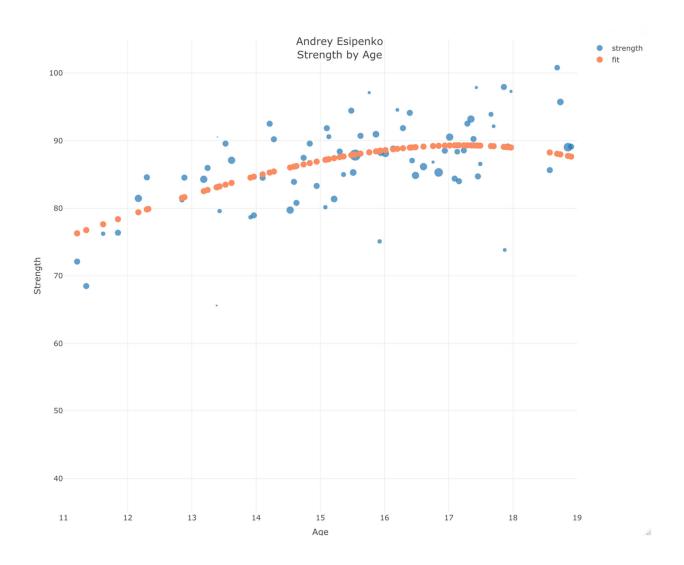


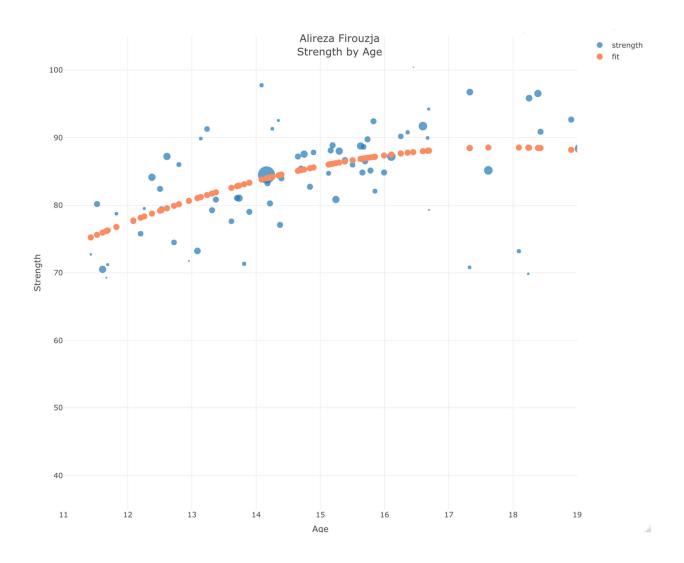


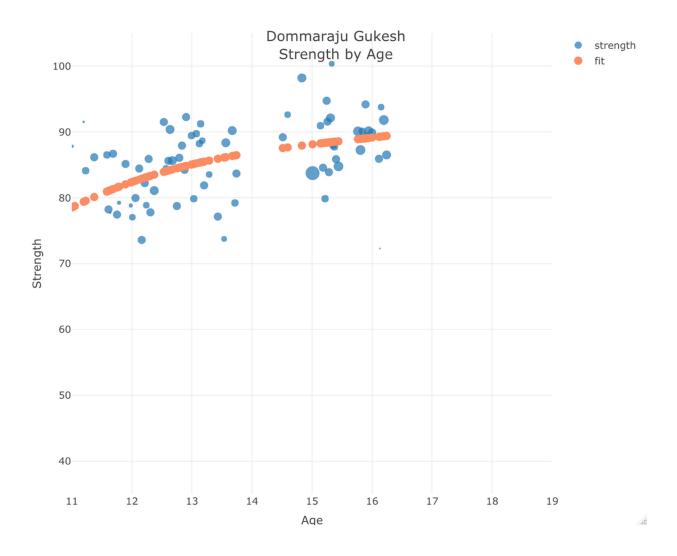


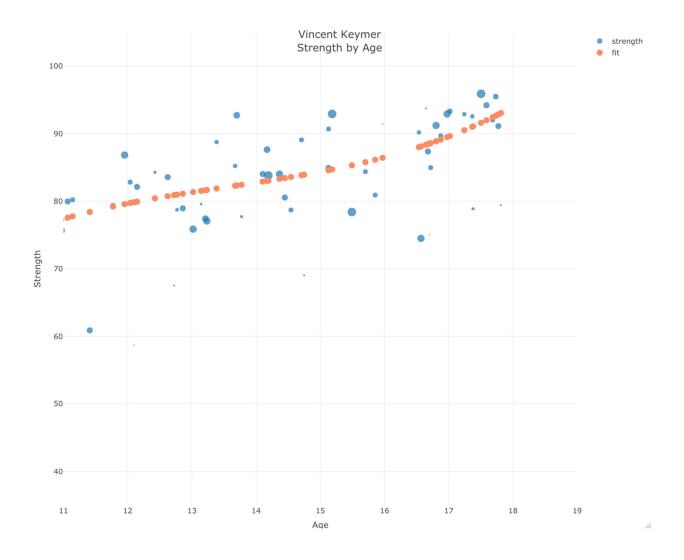


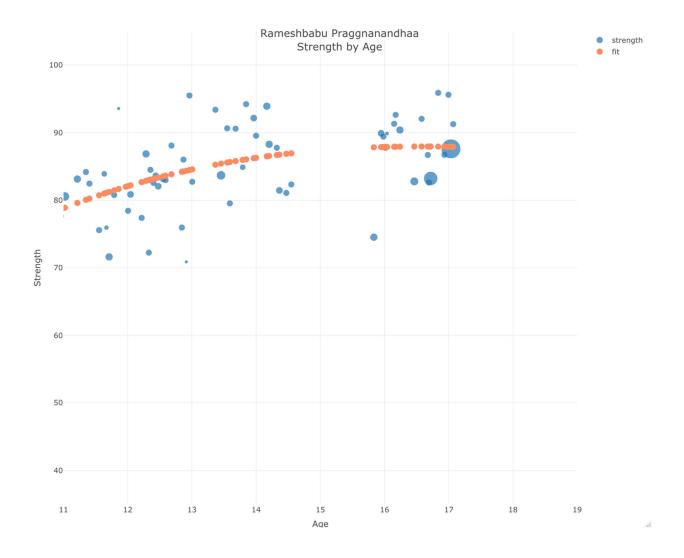


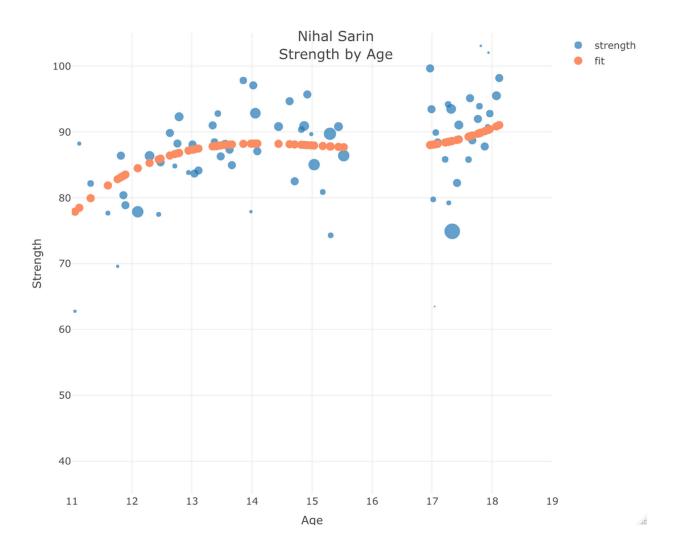


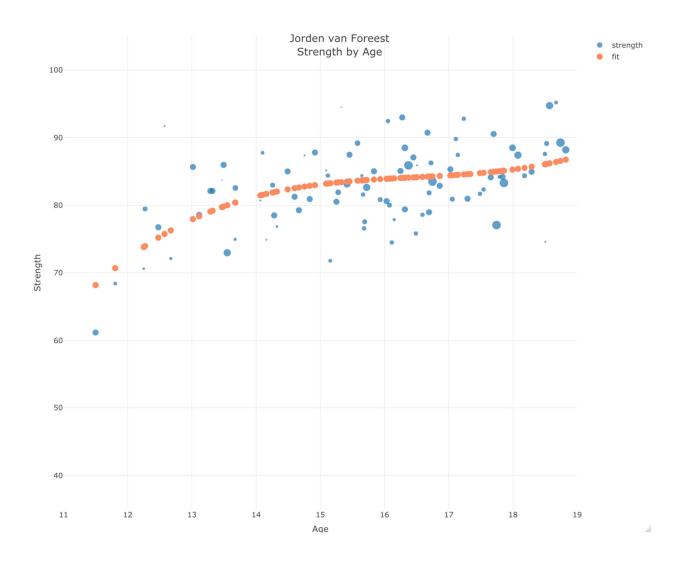


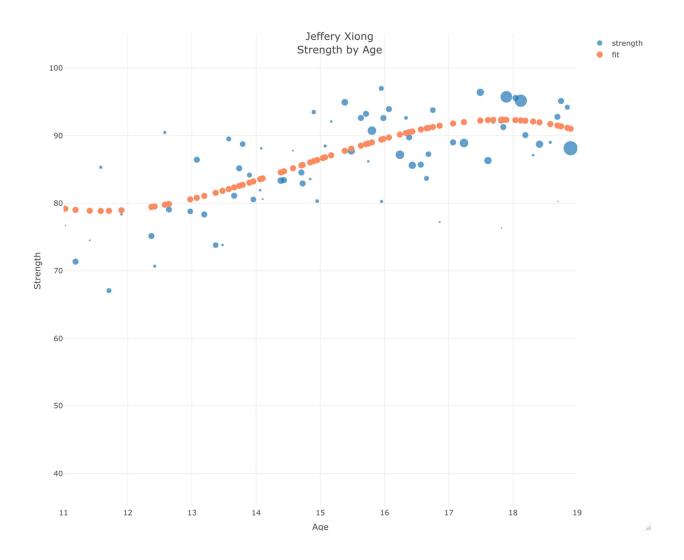


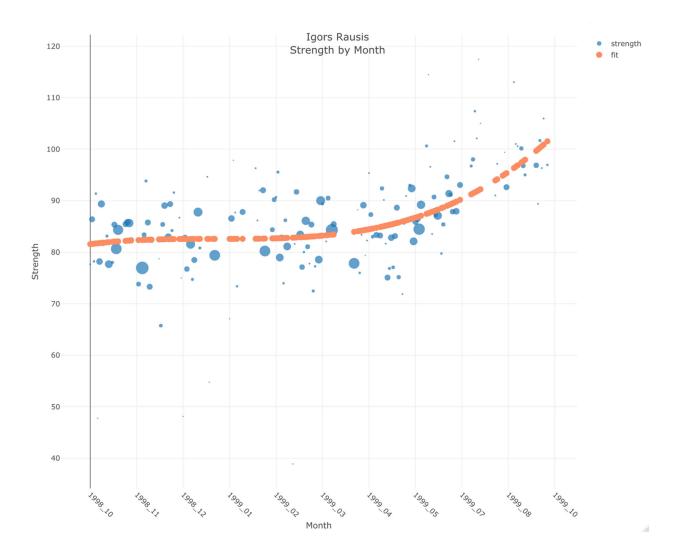












Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 52 of 73 PageID #: 757

#### **APPENDIX X.3**

		# of Games Win Rat	¥ F1	at Time Avg. 0	pponent T1	₩.				O		Strength
		# of Games 💌 Win Rat			2224	57 700/	dvantage Even					Overperformance 14.9
10th Philadelphia Int	2016.07.05	9	56%	2269	2321	57.70%	32.77%	50.14%	17.09%	73.58	88.57	
Windsor NAYCC U18	2016.08.07		78%	2298	2241	61.17%	30.10%	63.43%	6.47%	74.17	86.90	12.7
Bundesliga 2021-22	2022.03.05	7	57%	2642	2669	60.79%	15.81%	71.12%	13.07%	89.14	99.81	10.6
US Chess Masters 2018	2018.08.17	6	58% 50%	2329	2588 2246	62.13%	14.79%	68.05%	17.16%	81.36	90.86 89.65	9.5
12th Philadelphia Int	2018.06.28			2313		51.38%	15.69%	75.69%	8.62%	80.77		8.8
27th North American Open	2017.12.26	8	38%	2297	2199	50.12%	13.09%	67.41%	19.51%	74.19	82.76	8.5
US Chess Masters 2019	2019.08.21	7	57%	2423	2475	55.06%	32.21%	56.93%	10.86%	80.60	88.84	8.2
CCCSA Fall GM 2020	2020.09.30	8	81%	2465	2421	60.42%	45.58%	51.59%	2.83%	84.50	92.09	7.5
49th Annual World Open	2021.07.01	9	83%	2571	2441	60.12%	35.65%	61.63%	2.72%	87.63	94.81	7.1
ch-USA Junior 2021	2021.07.16	9	67%	2571	2484	61.50%	28.25%	66.20%	5.54%	87.60		7.1
Reykjavik Open 2015	2015.03.10	10	60%	2275	2050	52.77%	46.78%	27.05%	26.16%	74.16		6.6
TCh-SRB Premier 2021	2021.09.07	11	68%	2609	2531	62.72%	35.31%	57.68%	7.02%	87.60	93.33	5.7
World Youth U16 Olympiad	2018.11.25	9	83%	2439	2325	61.27%	50.00%	47.40%	2.60%	81.26	86.50	5.2
13th Foxwoods Open	2019.04.17	8	56%	2477	2337	53.96%	13.67%	60.79%	25.54%	80.89	86.04	5.1
2nd Tras-os-Montes Open	2021.08.19	7	71%	2606	2329	57.09%	40.83%	54.33%	4.84%	87.75		4.7
Kvika Reykjavik Open 2022	2022.04.06	9	72%	2637	2416	63.61%	36.39%	52.46%	11.15%	89.76	94.13	4.3
27th Sigeman & Co 2022	2022.05.03	7	71%	2637	2688	59.75%	34.06%	62.23%	3.72%	89.76		4.1
ch-USA Cadet 2017	2017.08.17	9	56%	2254	2208	53.87%	21.36%	69.66%	8.98%	75.18	79.19	4.0
RADNICKICHESS T2R-GM 20		9	61%	2525	2448	54.67%	21.96%	76.64%	1.40%	87.81	91.80	3.9
29th North American Open	2019.12.26	9	67%	2471	2226	54.43%	45.26%	46.48%	8.26%	81.07	83.95	2.8
14th Philadelphia Int	2021.06.26	8	75%	2567	2428	60.69%	42.76%	54.83%	2.41%	87.84	90.18	2.3
103rd ch-Marshall CC 2019	2019.11.14	9	67%	2436	2488	51.39%	36.53%	40.87%	22.60%	81.14	83.46	2.3
1st Easter Bassano Open A		8	69%	2508	2414	57.14%	29.81%	59.63%	10.56%	87.83	90.13	2.3
Junior U21 Round Table Op	2021.09.26	9	67%	2609	2443	57.99%	37.11%	49.48%	13.40%	87.83	89.78	1.9
FIDE Grand Swiss 2021	2021.10.27	11	50%	2638	2653	61.07%	28.19%	62.19%	9.62%	87.81	89.75	1.9
4th Prague Challengers	2022.06.08	9	72%	2678	2600	63.69%	38.75%	49.59%	11.65%	89.96	91.72	1.7
7th Sunway Sitges 2020	2020.12.13	10	65%	2478	2450	60.37%	42.86%	41.47%	15.67%	85.27	86.85	1.5
3rd DC International 2015	2015.06.25	6	33%	2180	2197	51.45%	10.98%	65.32%	23.70%	75.69	77.06	1.3
121st US Open 2021	2021.07.31	8	88%	2606	2342	64.62%	71.15%	28.46%	0.38%	87.88	89.11	1.2
Third Sat Mix 157 2021	2021.02.14	9	50%	2525	2438	56.73%	26.02%	58.19%	15.79%	87.87	88.95	1.0
55th Capablanca Mem Elite	2022.04.19	9	83%	2637	2584	55.83%	38.96%	57.67%	3.37%	90.06	90.99	0.9
SPICE Cup Open 2016	2016.10.17	9	39%	2288	2370	51.13%	37.01%	27.97%	35.03%	75.70		0.6
National Open 2015	2015.06.19	6	58%	2180	2223	48.47%	41.92%	37.12%	20.96%	75.75	76.34	0.5
SPICE Cup Open 2020	2020.10.20	9	56%	2465	2272	57.47%	36.46%	48.86%	14.68%	85.57	85.86	0.2
ch-USA Cadet 2019	2019.06.19	7	79%	2460	2311	55.97%	35.45%	49.25%	15.30%	81.40	81.61	0.2
99th Edward Lasker Mem	2015.12.11	8	63%	2278	2271	51.66%	26.57%	51.66%	21.77%	75.81	75.91	0.1
Paracin Winter GM 2021	2021.01.29	9	78%	2484	2379	57.95%	40.16%	49.33%	10.51%	87.92	87.76	-0.1
ch-USA Junior 2019	2019.07.11	9	44%	2467	2439	52.71%	13.95%	63.57%	22.48%	81.50	80.75	-0.7
2nd GM Mix Bassano 2021	2021.03.24	9	50%	2526	2429	58.49%	22.37%	54.45%	23.18%	87.95		-0.8
Niksic Mem 2021	2021.04.23	9	83%	2508	2427	58.38%	43.15%	50.25%	6.60%	87.96		-0.9
11th Philadelphia Int	2017.06.24	9	61%	2282	2231	54.46%	30.28%	44.37%	25.35%	75.97	74.94	-1.0
St Louis Inv GM 2018	2018.11.16	9	61%	2439	2441	55.56%	43.72%	46.86%	9.42%	82.30	81.23	-1.0
8th Sunway Sitges 2021	2021.12.13	9	67%	2645	2488	59.89%	45.80%	42.82%	11.38%	87.97	86.77	-1.2
National Open 2021	2021.06.16	9	67%	2567	2431	55.87%	40.69%	52.72%	6.59%	87.98	86.58	-1.4
CCCSA IM 2016	2016.03.23	9	61%	2325	2310	54.21%	40.26%	40.00%	19.74%	76.10		-1.9
25th North American Open	2015.12.26	6	58%	2154	2205	50.28%	38.42%	44.63%	16.95%	76.03	73.89	-2.1
4th Sharjah Masters 2021	2021.09.17	9	61%	2609	2620	57.84%	29.08%	55.88%	15.03%	88.00	85.64	-2.3
5th Vergani Cup Dec 2020	2020.12.26	9	72%	2478	2358	57.05%	40.38%	46.15%	13.46%	86.04	83.57	-2.4
Vladimir Bato Kontic Mem	2021.04.16	9	67%	2508	2438	54.14%	40.60%	45.61%	13.78%	88.05	85.37	-2.4
12th Philadelphia Open	2018.03.28	9	61%	2302	2255	58.12%	40.17%	42.17%	17.66%	82.53	79.81	-2.7
Stepan Avagyan Mem 2022		8	50%	2678	2617	52.91%	23.85%	64.53%	11.62%	90.41	87.58	-2.7
World Youth Open U16 2019		10	65%	2439	2302	50.28%	32.77%	52.54%	14.69%	81.81	78.92	-2.0 -2.8
	2021.03.17	9	67%	2439 2526	2437	54.91%	36.73%	47.64%	15.64%	88.02	78.92 84.97	
First GM Mix Bassano 2021	2021.03.17	7	43%		2360	54.91%	36.73% 25.93%	56.30%	15.64%			-3.0
26th Chicago Open 2017	2011100.20	7		2282	2000		20.0070			76.16	73.01	-3.1
5th Vergani Cup Jan 2021	2021.01.03		64%	2484	2537	57.81%	25.32%	58.23%	16.46%	88.01	84.73	-3.2
President of UZB Prizes	2021.11.12	10	75%	2635	2494	58.14%	44.48%	44.19%	11.34%	88.06	84.62	-3.4
TCh-TUR Super League 202		5	60%	2687	2627	52.97%	22.37%	63.01%	14.61%	90.38		-3.7
Vergani Cup Jan 2022	2022.01.02	9	78%	2645	2413	59.66%	41.18%	48.18%	10.64%	90.54	86.61	-3.9
Third Sat Mix 200 2021	2021.04.07	9	83%	2508	2391	57.01%	48.41%	42.68%	8.92%	88.07	84.08	-3.9
Marshall GM Norm 2020	2020.02.27	9	61%	2459	2442	61.07%	40.60%	44.63%	14.77%	86.32		-4.3
World Youth Boys U12 2015		7	50%	2046	2241	50.56%	47.94%	27.72%	24.34%	76.48		-4.4
5th Sharjah Masters 2022	2022.05.21	9	67%	2656	2587	57.57%	30.86%	55.49%	13.65%	90.60	85.83	-4.7
10th Calgary Int 2017	2017.08.02	9	56%	2254	2166	47.28%	23.64%	57.51%	18.85%	76.49		-5.0
24th Chicago Open 2015	2015.05.21	5	50%	2173	2296	49.48%	18.56%	56.19%	25.26%	76.42		-5.5
Guimaraes Open 2021	2021.08.24	8	81%	2606	2390	57.39%	35.74%	49.83%	14.43%	88.13	82.09	-6.0
Paracin Orbis 1 GM 2021	2021.02.05	9	67%	2525	2376	53.80%	41.64%	45.29%	13.07%	88.17	81.88	-6.2
St Louis Spring A	2022.03.02	9	44%	2642	2642	57.05%	14.32%	57.27%	28.41%	91.02	84.16	-6.8
St Louis Inv IM 2016	2016.06.08	9	50%	2298	2305	44.17%	33.25%	43.18%	23.57%	76.94	69.97	-6.9
17th Annual World Open	2019.07.03	7	57%	2467	2138	51.16%	29.46%	44.57%	25.97%	82.11	75.05	-7.0
13th Philadelphia Int	2019.06.27	8	56%	2460	2339	53.92%	31.63%	45.78%	22.59%	82.32	75.13	-7.1
CCCSA Labor Day IM 2018	2018.08.30	8	69%	2329	2287	54.36%	50.67%	35.57%	13.76%	83.08	75.85	-7.2
45th Annual World Open	2017.06.30	8	44%	2282	2297	48.28%	20.38%	36.05%	43.57%	76.85	69.43	-7.4
1st Spring Weekend 2021	2021.03.12	5	80%	2526	2218	52.17%	45.34%	42.86%	11.80%	88.08		-8.2
JT Dallas Fall Open 2016	2016.11.18	6	33%	2273	2412	48.53%	21.08%	53.43%	25.49%	76.56	67.28	-9.2

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 54 of 73 PageID #: 759

### EXHIBITS TO OCT. 2022 HANS NIEMANN REPORT

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 55 of 73 PageID #: 760

### **EXHIBIT A**

From: Account Review accountreview@chess.com

Subject: Chess.com Account and CGC

Date: September 5, 2022 at 6:20 PM

To: Hans Niemann

Bcc: @chess.com, @chess.co

Dear Hans,

Chess.com has elected to privately remove access from your account on Chess.com, and we are rescinding the invitation to join the CGC per your qualified spot.

Chess.com retains the right to close/remove access to any account at anytime without explanation — https://www.chess.com/legal/user-agreement — see "Termination".

We will however be providing you with your full compensation of \$5,000.00 US dollars for the qualified spot in the CGC. You can claim your prize here https://go.chess.com/invoice at your earliest convenience.

Best wishes.

Chess.com Team

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 57 of 73 PageID #: 762

## **EXHIBIT B**

Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 58 of 73 PageID #: 763

Dear Hans,

I'm sending this letter with three important goals:

- 1. To clarify factual inaccuracies in the statements you've recently made regarding your fair play violations on Chess.com;
- 2. To justify my reasons for withdrawing our invitation to Chess.com prize events, including the upcoming Chess.com Global Championship (CGC); and
- 3. To talk about a path back to Chess.com events.

First, regarding the comments you made concerning when and why you cheated on Chess.com: In your interview you mentioned (paraphrased) that you "cheated when you were 12" and then "later when you were 16 in an unrated game". This directly contradicts our statistical evidence, as well as the conversation you and I had in our private call when you confessed to cheating, and there is written evidence from you that substantially corroborates this. You also contradicted your own statement that you had only cheated in unrated games in the interview by later stating that you did it to gain rating points, which obviously indicates cheating in rated games.

As you indicated in your interview, Chess.com has the best Fair Play detection in the world. Using that system we have identified many clear instances of cheating. While there are other potential events, games and evidence that reinforce the untruth of your public claims, specifically for the purposes of this letter, we are informing you that some of our strongest data suggests you violated Fair Play on the following dates:

- Titled Tuesday Qualifier | July 7 2015
  - Of particular note in this event is that you played against and lost to someone we
    eventually closed for cheating in that very same event, and that your game reflected
    clear "engine vs engine" play.
- Titled Tuesday Qualifier | April 4 2017
- PRO Chess League | 2020 Season
  - Numerous games and performances
- Speed Chess Grand Prix | June 2 2020
- Speed Chess Grand Prix | June 16 2020

In addition to the direct monetary benefit that a top standing / prize position in those events would earn you, the rating points gained were significantly beneficial to you, as you admitted to me in our call where you confessed that "having a higher rating would mean people tune in more to my streams when I'm battling Hikaru, Danya or Eric (Hansen). I need people to believe that I'm a worthy rival to follow and subscribe".

On that note, there were several matches during the year 2020 in which you farmed your fellow chess peers for higher rating. Specifically, the following matches feature blatant cheating throughout:

- Match vs Krikor Mekhitarian | June 18 2020
- Match vs Yan Nepomniatchtchi (playing under an anonymous account) | June 20 2020
- Match vs Daniel Naroditsky | July 28 2020
- Match vs David Paravyan | July 25 2020
- Match vs Benjamin Bok | August 9 and August 11 2020

We are prepared to present strong statistical evidence that confirm each of those cases above, as well as clear "toggling" vs "non-toggling" evidence, where you perform much better while toggling to a different screen during your moves.

Moving on to my second point, I want to address both the reasons and timing for freezing your account and rescinding your CGC invite.

When I received your confession back on August 12<sup>th</sup> of 2020, in light of your age, I allowed you to create a new account with no fair play markings to continue to stream chess. You'll remember that I worked hard to both advise you on this process and to protect you as much as I could. I would do that again for you or any young player I deemed to have lost their way and wanted to choose a better path forward.

For my team, however, there always remained serious concerns about how rampant your cheating was in prize events. As you know, we've closed the accounts of hundreds of titled players (including 4 of the top 100 Grandmasters who have confessed to cheating), and we carefully monitor and help all of them as they rehabilitate into participating in our events. You and I had many subsequent discussions in our Slack DMs where we openly cooperated on the right way for you to rebuild your reputation.

In finalizing the field for the upcoming CGC, and based on a growing concern regarding ensuring fair play in Chess.com's first million dollar prize event, my team did a deep review of your past history, and encouraged me to rethink my position of letting you continue to play in prize events on Chess.com. I ultimately made the decision that too much was at stake given our ongoing suspicions and past violations.

Considering the above, we made this decision to close your account privately and uninvite you from the CGC. I regret the timing, but the timing between the Sinquefield Cup and the CGC required me to move quickly to replace your spot. I believe I acted in the best interest of the game and all participants to reconsider our invitation with so much at stake.

I'm going to bring my letter to a close with an offer to have a call. If you are willing to correct the false statements you made about having never cheated when it mattered (now that you have said these untruths publicly), acknowledge the full breadth of the above violations, and cooperate with us to compete under strict Fair Play measures, Chess.com would be happy to consider bringing you back to our events. In fact, I think it would be a wonderful redemption story for the full truth to come out, for the chess world to see this and acknowledge your talent regardless of your past, and give the community what they deserve: The truth.

I look forward to talking more.

Sincerely,

Danny Chess.com Case: 4:22-cv-01110-AGF Doc. #: 88-1 Filed: 01/24/23 Page: 60 of 73 PageID #: 765

# **EXHIBIT C**

	_			
Regit	ı forx	zarded	messas	œ.

From:	@chess.con	<u>n</u> >	
Subject: Re: Fwd:	Chess.com Account:		
Date: July 6, 2020 a	nt 2:03:14 PM EST		
To: Account Review	<accountreview@che< th=""><th>ess.com&gt;,</th><th>@chess.com&gt;,</th></accountreview@che<>	ess.com>,	@chess.com>,
<u>(</u>	@chess.com>,	@chess.com	>
Sorry for the delay.			

and others. I was super confident in his cheater, as was

Shocking to do this to such a strong player. Will officially go down as our highest rated ever I think (so I added as an FYI).

Proceed. Unfortunately.

Chess.com LLC

On 7/3/2020 7:11 AM, Account Review wrote:

So it's not someone else playing on his account, its him. Ready to proceed with next template unless someone thinks its best to intervene.

----- Forwarded message ------From: < Date: Fri, Jul 3, 2020 at 3:09 AM Subject: Re: <a href="Chess.com">Chess.com</a> Account: To: Account Review <accountreview@chess.com> Yes I played in the event.

Hi

As we mentioned earlier, we have made no public statements regarding the reasons for your account closure or our findings, and anything that happens in this conversation will remain confidential.

However, for us to move forward, we need you to confirm whether or not you played in this event: https://www.chess.com/tournament/live/

Fair Play Team

On Wed, Jul 1, 2020 at 3:27 PM < > wrote:

Can you tell me what are you planning to do?

----- Account Review (<u>accountreview@chess.com</u>),

Hi

Can you confirm that you played in this event? https://www.chess.com/tournament/live/

Fair Play Team

On Tue, Jun 30, 2020 at 2:59 PM < > wrote:

Hello, I dont understand for what is all about. I never violated any rule. Can please somebody explain to me? Anyway now I dont have a lpt of time this week to deal with this because I have another things to do, bit still will aprociate if somebody explains to me something. My name is very respected in the chess world and this is not acceptable.

Best regards



On behalf of the <u>Chess.com</u> Fair Play Team, we're sorry to say that your account was closed because we believe it was violating our site rules found here: <a href="http://www.chess.com/legal#rules">http://www.chess.com/legal#rules</a>

Unfortunately, we will not be discussing the exact details of our decision without the acknowledgment of both the receipt of this email, as well as at least some admission regarding our findings. We act only within our legal rights to close any account on <a href="Chess.com">Chess.com</a> at any time. We work hard to keep <a href="Chess.com">Chess.com</a> a

safe and positive community for chess players around the world, and are sad whenever any account is closed.

As a titled player, we would like to offer you a chance to reestablish yourself within the <a href="Chess.com">Chess.com</a> community, and because of that, we have made no public statements regarding the reasons for your account closure or our findings. If you choose to acknowledge any of the behaviors that you feel might have resulted in your account being closed within the next 72 hours, we may try to work with you privately to have a new account opened, equipped with a title and Diamond Membership.

Fair Play Team

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Degin	101 waraca	message.

From: Account Review < accountreview@chess.com >

Subject: Re: Chess.com Account:

Date: July 8, 2020 at 2:11:27 PM EST Ochess.com>

@chess.com>,

@chess.com>

Ok great, going to go ahead and re-onboard him!

Congrats team!

On Wed, Jul 8, 2020 at 12:42 PM @chess.com> wrote:

I normally don't ever boast, but I must say I'm impressed with myself. The guy is 2700+, he's a monster, it's hard to imagine him cheating in a vacuum. But we successfully identified key moments where cheating took place, and I do think that we should be proud of ourselves. This is definitely a good sign for the detection system, though it still can and will be improved.

Great job team!

On Wed, Jul 8, 2020 at 11:53 AM <u>@chess.com</u>> wrote:

This is the # chess player in the world, privately admitting to us that he cheated. There certainly has to be some celebration for our ability to identify it, but it's still a solemn place to be.

I'm just glad we were able to confidently draw the conclusion. I have no reason to mistrust his statement that he only cheated in specific games, it lines up more or less with what we noticed in our manual review.

From: Account Review <accountreview@chess.com> Sent: 08 July 2020 15:50 @chess.com>; To: @chess.com>; @chess.com>; @chess.com> Subject: Fwd: Chess.com Account: Surprisingly, it was this simple. While I'm not sure the intent is honest based on his tone in prior emails, I don't think it matters, and as long as agree that this is in line with our report, I'm more than happy to re-onboard. ----- Forwarded message ---From: < Date: Tue, Jul 7, 2020 at 1:12 PM Subject: Re: Chess.com Account: To: Account Review <accountreview@chess.com> Hello, I already wrote you in the previous emails that I will fully cooperate. I used help only in a few games not because I wanted to win a prize but because I was bored and just wanted to see how good is your team.Before that I was sure that everybody is doing it, now I see that your team is very serious and good. I want to apologise for my behavior this will never happen again! I am sorry for what I did and feel ashamed about the fact. Thanks a lot for giving me this chance and did not made this public. Actually I was suprised you catched me because I cheated only in 5 games in this cheated games . The others I didn't thats why I think you are doing fantastic job. Once again I apologise for my behavior. Besr regards Account Review (accountreview@chess.com)

After reviewing your games, we want to tell you that we are very impressed by your play. You are truly a strong chess player with a gift for the game. We know you worked hard to achieve the status you have in the chess world, and we respect your commitment to chess.

What we can tell you is that our system is designed to "look past" the strong moves of even the best human chess players in history, and detect patterns of influence from engines that amount to a certainty that we can stand behind. Sadly, in your case, we are still certain of the, at the very least, the semi-regular influence of engines in your games. Please note that we are not suggesting you used engine analysis in every position... or in every game, but our algorithm is still able to discern patterns that are not human in your approach, and consistent enough for us to be sure that you accessed illegal assistance at times.

We understand that sometimes people do this because they believe others are also doing it. Perhaps this was the case for you? We are also aware that some coaches use their accounts to play with students, and that maybe, at times, you allowed yourself to access resources you

knew were not allowed based on the "terms" of the game?

Either way, we must stand by our findings and ask that you come forward with a more forthcoming confession of the resources you used and how often you used them. If you are to provide an honest admission of your approach in your games on <a href="Chess.com">Chess.com</a>, we'd be happy to work with you to open a new, fresh account with title, diamond membership, and a clean slate on <a href="Chess.com">Chess.com</a>.

We look forward to your response.

Fair Play Team

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Fair Play Team

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				_

Begin forwarded message:

From:

Subject: Re: Chess.com Account:

**Date:** July 9, 2020 at 3:34:45 AM EST

To: Account Review <accountreview@chess.com>

Hello,

Thanks for the second chance. Of course I promise never again to break the rules!

If there is no way to keep my account, then soon I will open a new one.

Best regards

----- Account Review (<u>accountreview@chess.com</u>),

Hi

Thank you for your honesty and your prompt responses regarding this case.

After reviewing your admission, as well as our policy regarding such circumstances, we are prepared to offer you the following terms to return to <a href="Chess.com">Chess.com</a>:

- 1) You will need to open a new account, complete with a new username, and with a new email.
- 2) You will be banned from playing in any or other cash prize events on Chess.com for 1-year.
- 3) You will promise one more time never to use engine or other forms of illegal assistance

again, understanding that any further violations will lead to a lifetime ban from Chess.com.

Please respond to all parties on this email, with your acknowledgment of these terms and with a new username you wish to have as a titled player and for your Diamond membership.

Fair Play Team

On Tue, Jul 7, 2020 at 1:12 PM < > wrote

Hello,

I already wrote you in the previous emails that I will fully cooperate. I used help only in a few games not because I wanted to win a prize but because I was bored and just wanted to see how good is your team. Before that I was sure that everybody is doing it, now I see that your team is very serious and good. I want to apologise for my behavior this will never happen again! I am sorry for what I did and feel ashamed about the fact. Thanks a lot for giving me this chance and did not made this public. Actually I was suprised you catched me because I cheated only in 5 games in this the chance again. I apologise for my behavior.

Besr regards

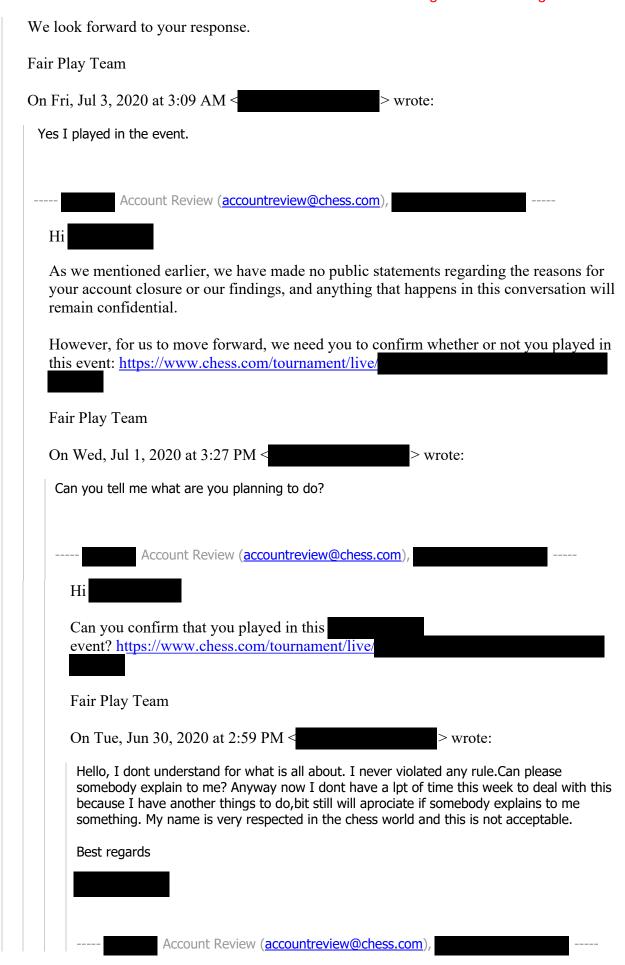


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Fair Play Team

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